

CONSIDERATIONS RECONSIDERED,

BEING A REPLY

TO A PAMPHLET LATELY CIRCULATED

RELATIVE TO A TRIAL

ON THE SIXTH OF JUNE, 1792,

Before the Right Honourable Lord KENYON,

In an ACTION for DEFAMATION

BROUGHT BY

THOMAS MEADE, Esquire,

AGAINST

The Reverend CHARLES DAUBENY.

By T. M.

AUDI ET ALTERAM PARTEM.

OXFORD: PRINTED BY W. JACKSON.

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CONSIDERATIONS RESPECTING THE

TO A FAMILIAR TALKER & RECIPIENT

RESPECTING TO A TALKER

ON THE 10th OF JUNE 1850

TO THE RIGHT HONORABLE LORD KENYON

IN A SPEECH ON REFORMATION

BY THOMAS

THOMAS MADD, M.P.

AGAINST

THE HONORABLE CHARLES DUBERNET

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ADULT. PART II.



OXFORD: PRINTED BY W. JACKSON.

CONSIDERATIONS

RECONSIDERED.

THAT a charge of a very serious nature was brought against me by the Rev. Charles Daubeney, was so clearly proved on the trial, that I suppose there was not a single person in Court, who had any doubts about it. I am confident I might have appealed to the conscience of several of his friends whom I saw there, for their having heard the slander from his own mouth, though they would perhaps have been shy of acknowledging it. But the Chief Justice, who presided, not only declared himself fully satisfied of the defamation, but thought proper to publish it as his opinion, in opposition to those who had said that the matter ought to have been privately, and not publickly, investigated, "that it was a duty incumbent on me to have brought it, as I had done, to a public trial; and that my reputation could not have been sufficiently vindicated by any other means." It is plain then, that his Lordship thought it thus sufficiently vindicated, when

my adversary, though repeatedly called upon to justify his assertions, thought proper to deny them; and that his Lordship was convinced the defamatory words were spoken, as given in evidence; though he expressed some doubts whether those words had occasioned the loss of marriage; which, whether they had or not, made no difference as to the guilt of slander, although it affected materially the quantum of damages.

2000 damages
It is also plain, what was the opinion of the Jury from the verdict they gave. And even the gentlemen, who were retained as advocates for Mr. Daubeney, admitted both that there were no grounds for the imputations cast upon me, and that their client had spoken the words in question, but urged in his defence, "that he had
"not spoken them with a malicious intention,
"but in confidence to a near relation, whom
"he sought to dissuade from a disadvantage-
"ous marriage."

After all this, and after the solemn decision of a tribunal, to which Mr. Daubeney says, "he
"thought it his duty as a good citizen to submit," what does he now mean by obtruding this affair once again upon the public notice? Has he discovered any new proof? Has he produced a single article, which was not equally open to him, and as much in his possession before

fore

fore the trial; as at this time? And if he thought it any wise material, either for his own justification, or my condemnation, why was it not then brought forward. With tenderness for me, or for the feelings and character of his sister in law, no one, I believe, however prepossessed in his favor, will now be disposed to credit him. But he knew that I came prepared with evidence to disprove and obviate all he had to offer. Yet fore with the disgrace which he has brought upon himself, he is solicitous to bring in others to share it with him. Hence he now artfully insinuates under the form of reasonable suspicions, what he no longer dares to repeat in the way of direct charge. And having cruelly treated a Lady, whose only crime was her attachment to me, and a strict adherence to truth and justice; and contrived to alienate from her the affections of a parent, and other near relations, by whom she was tenderly and most deservedly beloved, he now seeks to make it believed, that the evidence which she gave, tho' reluctantly, against him, was all false and inconsistent. But in these repeated endeavours to blast her character and mine, I trust he will find himself again disappointed; and that I shall have reason in the end to thank him for having, though undesignedly, furnished me with an

occasion of manifesting my innocence, from which his former mode of defence was evidently meant to preclude me.

But as many, who will read this, are perhaps not in full possession of his charge against me, I shall beg leave to state it in the very words which were given in upon the trial.

Mr. Charles Daubeny having solicited, and at length obtained a reluctant hearing from Miss Barnston, proceeded to tell her; " That the
 " will (meaning the last will of his sister, my
 " first wife) had been examined, and his brothers would declare the signature was not the
 " hand writing of their sister; the witnesses were
 " suspicious; Mrs. Meade's servant would have
 " been a more proper witness; but she was sent
 " out of the room when the will was signed;
 " she has been questioned, and it is plain
 " enough that she has been tampered with; I
 " asked what could be Mr. Meade's object in
 " acting this villainous part, and Mr. Daubeny
 " answered, that his object was to secure the
 " whole of his wife's fortune; who intended
 " that part should return to her own family, if
 " she died without children; she had intimated as much to her brother James. Mr. C. Daubeny further added, When Mr. Meade told
 " me at Spa, that my brothers were dissatisfied
 " fied

"fied with my fister's difpofition of her money,
 "I was aftonifhed they could harbour fufpi-
 "cions of his doing wrong, but I little knew
 "the grounds they had to fufpect him; I am
 "forry to fay the more things are looked into,
 "the worfe they appear; my brothers are men
 "of character, they affert nothing but what
 "they can prove; they have no objection to
 "lay the cafe before Mr. Meade's moft partial
 "friends; it has been fent to Mr. Coham and
 "Dr. Blayney, and partial as Mr. Coham is to
 "him, he fhook his head, faid it was a bad
 "bufinefs, and begged to have nothing to do
 "with it; and Dr. Bridle thought the will
 "would be fet afide in a court."

Thefe were the charges, which with other
 aggravations Mr. Daubeny is proved to have
 brought againft me; and from which he even
 now is bold enough to affert that my character
 is not fufficiently clear. But fhould any others
 be prevailed on by his artifices or bold affert-
 tions to think fo, I would beg them to attend
 to the following ftatement.

It is well known, that when Mifs Daubeny
 honoured me with a declaration in my favour,
 the connection was violently oppofed by her four
 brothers, on account of the difparity of fortune,
 it may be prefumed, fince in point of rank and

good character I was at least upon an equal footing with themselves. At length it was proposed by them, that her fortune should be settled so as to revert to her own family in the event of her dying without children. But this she absolutely refused, both as to the whole, or any part of it; which refusal gave such offence, that neither her brothers nor any of her near relations would have any concern in the settlement, and she was obliged to have recourse to strangers to undertake the trust. A settlement was however made, and the sum of 3000l. was reserved by it to be at her own disposal by will; but even this she directed to be considered as her husband's, if she should not think proper to give it away from him. The uninterrupted affection and confidence in which we lived was obvious to all who knew us, and to none more so than to Mr. C. Daubeny himself, to whom she addressed a letter from Ireland not a great while before her death, on account of a misunderstanding with her other brothers, and in which Mr. C. Daubeny then took his sister's part. The letter contained the following passages.

“ My design is to vindicate to those friends
 “ and relations, whom I love and esteem, not
 “ my own character only, but that of my husband. I cannot but sink with grief at the
 “ thought

Decr. 1787

“ thought of his being treated with unkindness
 “ by my relations; he who has attended me
 “ during months of constant sickness, and for
 “ several years of ill health, with increasing af-
 “ fection and tenderness, and whose attentions I
 “ believe now contribute to the preserving of
 “ my life; who relinquished his profession, be-
 “ cause my health would not suffer me to live
 “ in a city, and quitted his country, relations,
 “ and friends, that I might be indulged with
 “ living near mine.”*

After such a declaration of her attachment to
 me, can it appear at all strange that she should
 think of giving a husband, so tenderly beloved
 by her, a preference to her brothers in the dis-
 posal of her fortune, especially as (to quote a
 remark of Mr. Charles Daubeny made for a
 very different purpose) “ the sum she had to
 “ leave would have been but trifling when di-
 “ vided, and her brothers were all men of
 “ fortune;” “ whilst our portion of property
 “ (remarks Mrs. Meade in the letter above cited)
 “ was far from abundant?” And no doubt for
 these reasons it was, that Mr. Charles Daubeny
 himself, when I first joined him at Spa, and in-
 formed him of the dissatisfaction of his brothers

* The Original is now in my possession.

with

with their sister's will, frankly declared, *that he thought his sister did right, and he always supposed she would do as she had done.* But it is extremely fortunate for me, may I not say providential, considering the length of time that lapsed since my wife's death before any objections were made to her will,* that through her open and communicative disposition, I am not reduced to collect from circumstances only her intentions in my favor, but am furnished with the most ample and explicit declarations of them taken from her own mouth.

When I returned from Ireland in the summer of 1791, after having received advices from some friends in England of the scandalous reports concerning me, I brought with me such documents, as would sufficiently clear me from the imputation of any dishonest proceeding, of which I knew myself to be innocent. It was also my design to apply directly to the most intimate and confidential friends of my wife, to whom I knew she was in a habit of imparting

* Mrs. M. died in May 1788. Mr. D. says, p. 11, that in April 1791, near three years after, the two brothers inspected the original will, and seems to make that the date of their suspicions about it. But it is certain, that these suspicions were communicated by him to the Sawbridge family in Feb. 1791; Mr. M. being then in Ireland, and for a long time ignorant of what was at first only whispered against him.

all the secrets of her heart. To my infinite satisfaction, I found myself anticipated by the following letter written by Mrs. Lyte, widow of the late Henry Lyte, Esq; Treasurer to the Prince of Wales, a relation of the Daubeny family, and one who had been in the most unre-served confidence and friendship of Mrs. Meade for more than twenty years. It was addressed to the Lady of the Rev. Dr. Gunning, whom she knew to have enjoyed an equal share of Mrs. Meade's affection and confidence, and to have been a friend of still longer standing than herself. The letter does so much credit to the writer's heart and understanding, and is so expressive of its purpose, that I shall not need to make any comment upon it.

Netherclay House, July 13, 1791.

“DEAR MADAM,

“SINCE I saw you at Bath, my
 “mind has dwelt much upon our short con-
 “versation respecting the disagreement that sub-
 “sists between the Mr. Daubenys and Mr.
 “Meade. As I was then prevented from ex-
 “pressing my sentiments, I will take the liberty
 “to mention them now, and to ask you, who
 “was

" was likewise a confidential friend of Mrs.
 " Meade, if circumstances do not appear to
 " you in the same point of view. An account
 " of the dissatisfaction of the Mr. Daubenys,
 " respecting our dear friend's last will, reached
 " me from that quarter ; but it not being said
 " immediately to myself, I had not an opportu-
 " nity of replying to the subject, which huma-
 " nity, truth, and justice would have prompted
 " me to do ; even though I had felt no friend-
 " ship for any of the parties. For I have so
 " often heard Mrs. Meade declare her inten-
 " tion of leaving her whole fortune to her hus-
 " band, that at her death I never asked how she
 " had disposed of it, certainly concluding that
 " she had fulfilled her intentions. You know
 " that she was very open and communicative to
 " her intimate friends ; and both at Woodford,
 " and at Eastwell, has she frequently expatiated
 " largely to me on the goodness and kindness of
 " her husband ; that every thing was due to him
 " from her ; that she should certainly make her
 " will entirely in his favor ; for that her bro-
 " thers were in ample circumstances, and there-
 " fore did not want it ; and she has added,
 " they have more already than they spend, and
 " I should be ungrateful to the best of husbands,
 " if I did not do the same by him as he has
 " done

“ done by me. That he was one of the best
 “ of husbands. I believe you know as well as
 “ myself ; indeed I never knew a woman so per-
 “ fectly satisfied with the conduct of her hus-
 “ band ; and she had reason ; for both in health
 “ and sickness his anxious care, tenderness, and
 “ attention were unremitted, as I have often
 “ witnessed. His whole family also shewed her
 “ the greatest attention. She used to tell me how
 “ happy she was when in Ireland ; and just be-
 “ fore our final separation, she several times ex-
 “ pressed her desire to be there. I wish I had
 “ not burned her letter to me, written in her last
 “ illness, whilst Mr. Meade was in Dublin ; it
 “ was exactly uniform with all her conversa-
 “ tions, “ wishing for the return of her dear
 “ husband, who was her best physician, friend,
 “ and comforter.” These were her words. By
 “ what she once said to me at Eastwell, I judged
 “ that she had bequeathed some small legacies
 “ to her relations and friends ; You and I were
 “ of the number. But on reflection I suppose
 “ she thought, and very justly, that such trifles
 “ were of no use individually, but altogether
 “ made up a sum, that would greatly diminish
 “ the fortune she wished to leave entire to her
 “ husband. I think the Mr. Daubenys must
 “ misunderstand this matter, and I cannot help
 “ wishing

“ wishing they could be informed of what I
 “ knew to be their sister's sentiments ; and as I
 “ dare say you shared an equal degree of her
 “ confidence, possibly our united testimony
 “ would be of use to remove the doubts, which
 “ have caused so much vexation. I should be
 “ sorry to be thought meddling, but the regard
 “ I have for our dear friend's memory, and in-
 “ deed both for Mr. Meade and the Daubenys
 “ family, makes it incumbent upon me to enter
 “ into this detail of past circumstances, which if
 “ the Mr. Daubenys could be made acquainted
 “ with, I flatter myself, as men of character and
 “ candor, they would not be offended. I am
 “ convinced, my dear Madam, that as a friend to
 “ the families, you are concerned at this misun-
 “ derstanding, as much as myself. If you can
 “ make any good use of this letter, you are at
 “ perfect liberty ; for nothing will give me
 “ greater satisfaction, than to be assisting in re-
 “ moving any unfavorable prejudices against
 “ Mr. Meade their brother-in-law.

“ I am, Dear Madam, &c.

“ MARY LYTE.”

Upon hearing of my arrival in England, Mrs.
 Gunning sent me the above letter accompanied
 with

with the following declaration from herself,
Both letters are in my possession.

I “ I have read with strict attention Mrs,
“ Lyte’s letter to me dated July 13, 1791, con-
“ taining her sentiments respecting the uniform
“ intentions and the last will of our late dear
“ and mutual friend Mrs. Meade; and I can
“ conscientiously declare, that there is not an ex-
“ pression in it, which I cannot positively con-
“ firm, and know to be true. The misunder-
“ standing of her real intentions has led into
“ unfortunate differences those friends, who
“ ought to have been connected by the ties of
“ affection, and a tender regard for her memory,
“ No one knew her heart better than myself;
“ and never did she lose an opportunity of ex-
“ pressing her gratitude to Providence, for hav-
“ ing blessed her with a husband, who with unre-
“ mitting attention, through a long series of ill
“ health, had behaved with such kindness, af-
“ fection, and tenderness towards her. It was
“ impossible for any one to be more sensible of
“ her happiness, than she at all times appeared
“ to be; and I have often heard her declare,
“ when she has been talking of her will, that
“ gratitude, inclination, and duty directed her
“ to

" to leave every thing in her power to a man
 " who in every respect so well deserved it;
 " my brothers, said she, do not want any thing
 " from me, neither have they a right to expect
 " it." To speak of Mr. Meade after what I
 " have said is unnecessary; but I feel a sort of
 " grateful affection for the man, who was the
 " means of making my earliest and dearest
 " friend happy, and whose principles are such,
 " as to merit the esteem of those much more
 " capable of judging than myself.

" ANNE GUNNING."

Farmboro', Sept. 1791.

Besides these friends of Mrs. Meade, there
 were two others, who had been from infancy all
 through life as sisters to her; Mrs. Baker, Lady
 of Jeremy Baker, Esq; of Redland-Court, near
 Bristol; and Miss Baker, his sister. To these
 I thought proper to send Mrs. Lyte's letter,
 and to desire their sentiments. They gave me
 the following answers.

Oct. 31, 1791. Extract from Mrs. Baker's letter.

" I am sure I can with truth confirm what I
 " saw in Mrs. Lyte's letter; my opinion ex-
 " actly coincides with hers; and I have often
 " heard

“ heard my dear friend Mrs. Meade make use
“ of many of the very expressions contained in
“ her letter.

“ K. BAKER.”

Miss BAKER to Mr. MEADE, Sept. 1791:

E X T R A C T.

“ I cannot help expressing wonder and astonishment at the charges, which you say are
“ laid against you — it is impossible for me to
“ tell, how often I have heard Mrs. Meade say,
“ that she had one of the best and kindest of
“ husbands. The letter of Mrs. Lyte to Mrs.
“ Gunning speaks so exactly and truly the sentiments of our lamented friend, that I need
“ only refer to that letter ; I myself have heard
“ Mrs. Meade use the very same expressions
“ that are in it, respecting the disposal of her
“ property, as well as those of affection towards
“ you. I am, &c.

“ MARY BAKER.”

The Rev. Mr. Archdeacon Coham was Minister of the parish, in which we resided during the last eight years of Mrs. Meade's life. For him, and his lady, Mrs. Meade had a most perfect

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fect esteem and confidential regard. And the information, which came from them, was not less satisfactory than that before cited. Mr. Coham says, "that Mrs. Meade's general language and sentiments left no doubt in his mind upon this subject; but he had still better proof; for before Mrs. Meade went last to Ireland, she had been talking much of making her will, and he asked her "what business, Madam, have you to make a will at all?" to which she replied, "that I may have the satisfaction of *giving* to my husband, and not leave it to the law to do."

Mrs. Coham gave the same general account of Mrs. Meade's language and sentiments; and added a conversation she particularly remembered to have had with her upon the subject of her property. "Mrs. Meade lamented that her mother should have left 2000*l.* of her (Mrs. M's) fortune to her brothers upon her dying without children; she thought that she should have had a power to do with that, as with the rest of her property, by giving it to her husband, who had the best title to it."

Every one of these persons attended the trial before my Lord Kenyon, and were ready to
 verify

verify upon oath their several attestations, had not Mr. Daubeny's denial of the charge precluded the enquiry I wished for.

I cannot forbear citing another authority, extracted from a letter written to me since the trial by Sir Richard Musgrave, who formerly practised at the Irish Bar, and having come over to England on business, visited frequently at my house in Essex in the years 1776, 1777, and 1778, upon terms of the greatest familiarity.

Extract from Sir Richard Musgrave's letter.

“ Your extraordinary affairs with Mr. Charles Daubeny have reached us here. I dined lately at Lord S——’s, where the subject was talked over, and all felt equal indignation. I lose no time to inform you, and you may call upon me to attest it in any manner you please, that when I used to visit at your house in Essex several years ago, the late Mrs. Meade consulted me upon the mode of making her will, under the idea that some peculiar form might be necessary in leaving her fortune to her husband.”

After such full and complete information of my wife's intentions, and the principle of them,

to most of which Mr. Daubeny had the same means of access as myself, I trust I may be credited in asserting, that a former will of her's (of which so much has been said, merely because it was believed not to exist) in no respect varied from those intentions, except in leaving some pecuniary legacies to a great number of her relations and friends. Instead of these she afterwards chose to substitute rings, which she supposed would be equally acceptable by way of memorials. By her desire therefore, when we were in Ireland, I drew up a sketch of a will according to instructions taken from her own mouth, and left it with her to copy and execute at her leisure. This however she had postponed for various reasons, till she was seized with an illness, which in the end proved fatal to her. On my return from Dublin, where I had been for some time detained upon business, I found her extremely ill in bed, and much dissatisfied with herself for not having written the will. At length becoming sensible of her danger, she earnestly requested that a short will might be prepared, appointing her husband universal Legatee and Executor, which, she said, would be sufficient, as I already knew all her mind, and she was sure would fulfil it. Accordingly my brother (for I was unequal to the task) wrote
such

such a will as she desired, and, together with his Lady, and an elderly Relation, who was then in the house, witnessed the execution of it. Their affidavits are annexed, together with letters from the two physicians who attended my wife in her illness, and whose sentiments I had desired, on understanding that the state of her mind had been called in question. And because my brother was represented as an exceptionable witness (I suppose because he was my brother) I thought proper, for the satisfaction of those who knew him not, to bring over such testimonials of his character, as will be abundantly sufficient to stamp credibility upon it.

Borough of Belfast, }
County of Antrim. }

Affidavit of the } The Reverend Richard
Rev. Richard Meade, } Meade, Clerk, came this
sworn July 29, 1791. } day before me, and made
oath on the Holy Evan-
gelists, that he was present and a witness some
time in the month of May, 1788, when Mary
Meade, the late wife of his brother Thomas
Meade, signed and executed her will a few days
before her death; that on the same day, to the

best of Deponent's recollection and belief, Deponent administered the sacrament to her, at her earnest desire; that at both transactions she appeared to Deponent perfectly composed and collected in her senses. In receiving the sacrament, Deponent never saw greater devotion or resignation; and at signing her will, though much reduced in body, supported by pillows, and with a tremulous hand, she appeared to possess great firmness and steadiness of mind.

RICHARD MEADE.

Sworn before me this 29th day of
July, 1791, WM. BRISTOW,
Sovereign of Belfast.

Borough of Belfast, }
County of Antrim. }

Affidavit of the } The Honorable Mary
Honorable Mary Meade, } Meade came this day
Sworn July 29, 1791. } before me, and made
oath on the Holy Evan-
gelists, that Deponent was present when Mary
Meade, the wife of Thomas Meade, Esq; exe-
cuted her will a few days before her death in the
month of May, 1788, at which time, and during
the

the whole course of her illness, she appeared to Deponent in full and perfect possession of her senses.

MARY MEADE.

Sworn before me this 29th day of

July, 1791, WM. BRISTOW,

Sovereign of Belfast.

County of Cork.

Affidavit of Sarah Williams, } Sarah Williams,
Sworn July 23, 1791. } late of the City of
Cork, and now of

Killany, in the County of Cork, widow, came this day before me, and made oath on the Holy Evangelists, that in the month of May, 1788, this Deponent was present in the City of Cork, and saw Mary the wife of Thomas Meade, Esq; execute her last will and testament; and that this Deponent signed her name to the said will, as a witness; and that the said will was executed two or three days before the death of the said Mary; at which time, this Deponent saith, that the said Mary Meade was composed, resigned,
B 4 and

and perfectly collected, though reduced and exhausted in strength from long and severe illness.

SARAH WILLIAMS.

Sworn before me this 23d day of
July, 1791, JOHN KENNY, one
of his Majesty's Justices of the
Peace for the said County.

Dr. CALANAN to the Rev. Mr. MEADE.

Cork, July 1791.

“ DEAR SIR,

“ Sir John Haly's absence prevented
“ my answering you immediately on receipt of
“ your letter. I inclose you his thoughts on
“ the subject in question.

“ If it were necessary to make a more formal
“ declaration of our opinion, it should be done;
“ but as this insinuation is too absurd to admit
“ of any legal discussion, I hope our simple re-
“ lation of Mrs. Meade's case will be a sufficient
“ refutation of this foul slander. Were there
“ no other circumstances but the very name of
“ her disorder, it would be sufficient to preclude
“ any charge of the kind. The complaint in her
“ bowels, under which she had laboured so long,
“ is

“ is seldom or never attended with any derangement of the mind, except towards the last moments, when a mortification is taking place. “ I too well recollect, that her chance of recovery would have been much greater, had her perceptions been less acute, and her senses less collected; as in that case she would have judged less for herself, and left more room for medical assistance.

“ A whisper of so base a nature could never be hearkened to in this country, where the respectability and honor of your family is too well known, without saying a word of the many creditable friends, who visited at your house at the time. “ This is really so wretched, so contemptible an endeavour to disturb your brother’s peace of mind, that I hope he will have fortitude enough to treat it as it deserves. “ If any attestation of Sir John, or mine, be in the least degree requisite to prove Mrs. Meade being perfectly in her senses during the whole state of her last illness, you may depend on our being at all times ready to certify it in the strongest manner.

“ I beg my respects to your family,

“ And remain, &c.

“ JOHN CALANAN, M. D.

BISHOP

Sir JOHN HALY, M.D. to Dr. CALANAN.

July 25, 1791.

“DEAR DOCTOR,

“I received your letter this morning,
“in which you wish to hear from me, what
“state of mind Mrs. Meade was in before
“she died. I attended her with you the last
“seven days of her life; during which time she
“was as perfectly in her senses, as any patient
“I ever attended. Now give me leave to ask
“you, Why this question?

“Yours most sincerely,

“JOHN HALY.”

• The insinuations, “that my brother was a
suspicious witness,” are too uncharitable to en-
title them to my notice; yet I cannot help
embracing the opportunity they afford me, to
vindicate to strangers the character of an exem-
plary minister. The moment that the Bishop
of his diocese, and the vicar-general heard the
shameful hints upon this subject, they sent me
the following notes.

BISHOP

BISHOP of DOWN's LETTER.

" It is with great surprize I find myself
" applied to for the character of the Reverend
" Mr. Meade. I have known him intimately
" more than twenty years, and I declare, that
" I do not believe there exists an honefter man,
" a better christian, or a more exemplary cler-
" gyman. If I knew any stronger terms in
" which I could exprefs my opinion of him,
" I should be glad to make use of them. I
" have brought him from the most distant part
" of Ireland to this country, in order to have
" the happiness and the credit of introducing
" him into my diocese.

" WILLIAM DOWN and CONNOR."

Purdysburn, July 27, 1791.

LETTER of the VICAR-GENERAL
of CONNOR.

August 3, 1791.

" I have been applied to, to bear testi-
" mony to the character of the Rev. Mr. Meade.
" I feel great embarrassment in attempting to
" contribute to the credit of a gentleman, who
" is

“ is my equal in every point of view, but in
 “ years. But whether my opinion is called for
 “ as vicar general of the diocese, or as a chief
 “ magistrate, or as minister of the parish in
 “ which we both reside, or as a clergyman of
 “ above thirty years standing, I cannot refuse to
 “ give my opinion on a subject, to which I am
 “ abundantly competent. His reputation can
 “ be questioned only where he is not known;
 “ and it is with sorrow and humiliation I learn,
 “ that there may possibly be a necessity of vin-
 “ dicating the character of so worthy a man
 “ amongst those who are strangers to him. I
 “ have known Mr. Meade in habits of intimacy
 “ and of confidence since his introduction into
 “ this diocese, and I solemnly declare, that in
 “ my intercourse with mankind, I have never
 “ known a man more uniformly influenced by
 “ the strictest principles of religion, truth, and
 “ honor. As a sincere christian, an exemplary
 “ clergyman, and an useful and amiable member
 “ of the community in which he lives, I have
 “ known few equal, none superior.

“ W. BRISTOW,

“ Vicar Gen. of the diocese of Connor,
 “ sovereign of the borough, minister
 “ of the parish of Belfast.”

If any thing can be stronger than these testimonials, it is the following address, conveyed five years ago to the late Bishop of Cork, in Bath; it is signed by the principal Gentlemen, Bankers, and Merchants of the city of Cork; and it was done upon the occasion of the Bishop of Down inviting the Rev. Mr. Meade into his diocese, and the unwillingness of his old friends to part with him.

To the Right Rev. Father in God, ISAAC,
by Divine Providence, Lord BISHOP of
CORK and ROSS.

“ WE, the undersigned parishioners of the
“ parish of St. Paul’s, in the city of Cork, with
“ the utmost respect and deference for your
“ Lordship’s public and private character, take
“ the liberty to recommend to your Lordship
“ the Rev. Richard Meade, as a person eminently
“ deserving of your Lordship’s countenance and
“ favor. We are induced to express to your
“ Lordship the high estimation in which Mr.
“ Meade is justly held among us, for a laudable
“ and diligent discharge of the duties of his
“ sacred

“ sacred office, a benevolent and unremitting
 “ attention to the poor, and a general conduct
 “ highly exemplary in a christian minister.
 “ These are the virtues, which have endeared
 “ him to his flock, and justly gained him the
 “ esteem and admiration of all ranks of people
 “ in this city.

“ If your Lordship’s health permitted
 “ you to reside among us, we should deem it
 “ unnecessary to state Mr. Meade’s character to
 “ you. We shall only add, that, as every person
 “ must feel joy in seeing favors shewn to the de-
 “ serving, we conceive that no satisfaction can
 “ be greater than that, which arises in a virtuous
 “ mind from an action, that rewards the meri-
 “ torious, excites an emulation in doing good,
 “ and acquires the applause and gratitude of all
 “ who are concerned. With profound duty
 “ and respect, &c.”

“ Signed by 48 of the principal gentlemen.”

There is still one testimony more, which I wish
 to bring forward; it is that of the maid-servant,
 who is said to have been sent out of the room
 when the will was made, and to have been after-
 wards

wards tampered with by me. Both these charges she solemnly denied upon oath at the trial; and would have added something more, had not Mr. Daubeny's counsel thought proper to stop her. The following letter was written by her to the Rev. Dr. Blayney, at the recommendation of Mr. Lyte, in whose service she then lived, and to whom she had related the circumstances, which she was, and is still ready to attest upon oath.

To the Rev. Dr. BLAYNEY.

Nov. 1791.

" HONORED SIR,

" HAVING been asked questions concerning my late master and mistress, Mr. and Mrs. Meade, I have taken the liberty of troubling you with my sentiments and observations, which I was able to make during the seven years which I lived in their service. I never could discern but they always lived together in the greatest mutual affection, and that Mr. Meade was always the kindest and the best of husbands; and whenever Mrs. Meade was ill, which was very often, as her health was very indifferent, Mr. Meade always
" nursed

“ nursed her and attended her in the kindest and
 “ tenderest manner, and never wou’d leave her
 “ a moment; and she was always better pleased
 “ with every thing that he did for her, than with
 “ what any one else could do; and she was always
 “ unhappy when he was absent from her, which
 “ was her reason for her going to Ireland, as she
 “ could not bear the thoughts of her being
 “ parted from Mr. Meade for so long a time,
 “ as his business obliged him to stay there.
 “ When Mrs. Meade was taken ill, Mr. Meade
 “ was very unfortunately from home, and Mrs.
 “ Meade, out of tenderness for him, did not
 “ like to inform him of her illness, for fear of
 “ making him unhappy, as he was then in
 “ Dublin upon business; and it would have
 “ been very inconvenient for him to leave it,
 “ till he had settled it. She was very anxious
 “ for his return, and did often say, that she should
 “ soon be well, if he was at home; and that he
 “ knew better what to give her than all the
 “ physicians in the world; not but that she had
 “ every kindness and attention shewed her by
 “ Mr. Meade’s friends, who all had the greatest
 “ affection for her. When Mr. Meade came
 “ home, she was so overjoyed to see him, that
 “ the moment he entered the room she burst into
 “ tears: from this time till she died, Mr. Meade’s
 “ attention

"attention to her was unbounded. He never
 "would leave her a moment; but nursed her,
 "and sat up at nights with her, till he was quite
 "worn out with fatigue and grief, and was so
 "ill, that I was very much afraid he would have
 "shared the same fate. There never was a more
 "afflicting scene, than the parting of such a
 "happy couple; her expressions to him were
 "the most tender and affectionate. She often
 "said, she had not a wish or desire to live, but
 "for Mr. Meade's sake; and how sorry she was
 "to leave him, and that all the world but him
 "was indifferent to her. I remember her ex-
 "pressions to him very often, when he has been
 "going to give her her medicines, or any thing
 "else to take; she would look up at him in the
 "most affectionate manner, and say, "God
 "bless you, you are the best man in the
 "world;" and many such were her expressions
 "till her last moments.

"As to her will, there was no mystery or
 "secrecy in settling her affairs; the weather at
 "that time being very hot, the door of her room
 "was always left open, and I was not absent
 "from her half an hour in all her illness. She
 "enjoyed her senses to the last, except a few
 "ramblings at first waking after she had taken
 "laudanum, but recovered from them in a few
 C "minutes.

"minutes. All that I have said, and all that
 "I can say, will fall short of expressing Mr.
 "Meade's goodness, as the kindest and the very
 "best of husbands.

"I am, Honored Sir, &c.

"ANN BOUCHER."*

* Mr. D. who seems willing to spare no one that has come forth in my favor, plainly insinuates, that this girl must have been guilty of prevarication, in consequence of what she is said to have declared to a maid of Mrs. D. (See his pamphlet, p. 6, 7.) But surely a person of less sagacity than Mr. Daubeney, but with a small portion of candour besides, might easily have seen, that it was very possible for a servant to have been in the room, where a certain business was transacted, without knowing the particular nature of that transaction, not being called upon to bear a part in it; and yet when afterwards told, that a will was at that time signed, to have been very certain that she was not sent out of the room, but was present at, though not a witness to, the signing of the will. In like manner, on being informed that there were two wills existing (or such as might be so called) of which one was actually executed, but contained no particulars; the other a sketch only, but containing various particulars, with which I thought myself equally bound to comply, as if it had passed through all the legal forms, would any man of common sense have doubted, which of those wills I wished to consult for directions concerning the funeral, or have failed to make the distinction, which the uninformed maid-servant was not qualified to make?

I have

I have now produced all that I think is necessary to justify me respecting the will, and submit it to the judgment of the candid reader, without troubling either him or myself with a special discussion of the points, on which the Messrs. Daubeny pretend to have formed their suspicions, or pointing out their inconsistencies. The time, I hope, will be better employed in vindicating my present wife from the aspersions which have been cast upon her, both for the part she took previous to the trial, and the evidence she gave on that occasion.

AND, first, she stands reproached by her mother and others for breach of confidence, in betraying to Mr. Meade what her brother-in-law had said of him. This at least admits, that Mr. Daubeny did say what she witnessed against him. And knowing, as she did, that Mr. Meade was persecuted by Mr. Daubeny for no other cause than his attachment to her, could she in honour have done otherwise than inform him of what was said in his absence to the ruin of his character, that he might be prepared to vindicate it? There was still another reason that urged

her to do as she did, which was, that her own happiness seemed to be interested in it. Notwithstanding Mr. Daubenys influence with her mother and other relations, there was a very respectable branch of the family, who saw less to object to Mr. Meade on account of his quarrel with Mr. Daubeny, than the rest did; and thought it reasonable to support the liberty of Miss Barnstons choice, in opposition to the caprice or prejudices of a brother-in-law. By these Mr. Meade was encouraged to renew his addresses, after having been repulsed by Mrs. Barnston; and in all probability the justice of their interference might at length have prevailed, had not Mr. Daubeny come forward in time with his shocking allegations. Then it was, that her friends represented to her the impossibility of their countenancing a connection with a person, whose character was questionable, and pointed out strongly the necessity there was for Mr. Meade to clear himself, if he could. Her own ideas corresponded exactly with those of her friends. She could not bear to think of marrying a man of a blasted reputation; and convinced as she herself was of his blamelessness and integrity, her own honor, she thought, required that the world should think well of him too. What was she then to do? She was
not

not enjoined secrecy by Mr. Daubeny, as to what he reported to her. On the contrary, "If I had asked Mr. D. (says she, in a letter† to her mother) whether I should tell it again, he would have said, yes, with all my heart." And again, (in a letter to her* sister) "I told Mr. Meade and Dr. Blayney what my brother told me, as coming from his brothers; I said as you said, that he was not the author of this affair; and I knew he did not care for my repeating what he told me, because it did not come from him, and because, he said, they had informed Mr. Meade of the particulars." In fact, Miss Barnston did not at the time believe that Mr. Daubeny had spoken any thing from himself, but at second hand from his brothers, who were prepared, as they boasted themselves, to make good their assertions. She therefore supposed they would do as they said, and that matters would be brought to a discussion between them and Mr. Meade, (not in a court of law, which never entered into her head, but before a meeting of friends) when she was persuaded, that Mr. Meade would be able to make

† Cited page 41 of Mr. D.'s pamphlet.

* Ibid.

his innocence appear, to the satisfaction even of his accusers. And thus she flattered herself with a momentary belief, that she might become the means of reconciling persons together again, who, through misapprehension only, had been estranged from each other. Unhappily she was but too soon convinced, that the Messrs. Daubeney meant nothing less, than to allow Mr. Meade an opportunity of vindicating himself from the charges, which had been brought against him. But on which side soever the proposed arbitration failed, it certainly was not her fault that it did so. She conjured, she intreated in the strongest terms, both Mr. Meade and his friends, to make every concession possible, that might prevent a public issue, which of all things she most dreaded. And when she saw things almost inevitably tending to such a crisis, she even condescended to offer Mr. Meade her hand, on condition of his discontinuing all legal proceedings. But the die was cast; Mr. Meade could not then recede, nor consent to sacrifice his honour to any considerations whatever. The misery Miss Barnston felt on this occasion was extreme, and cannot be better expressed, than by stating the letters, that passed between her and her friends on both sides before the trial; some of them pressing and terrifying her from giving any evidence in court,

court, others urging every argument to convince her of the duty and necessity of it. Her mother wrote to her thus : “ I must tell you, that if
 “ Mr. Meade begins with law, your brother will
 “ go on with it, and other persons in the family
 “ be brought forward ; in which case, your
 “ mother, if God enables her, must appear to
 “ give evidence against her daughter, as she will
 “ not sit quiet, and see her son-in-law’s character
 “ sacrificed to Mr. Meade.”*

About the same time, another letter from Mr. Sikes to Mr. Goddard, was shewn to Miss Barnston, in which were the following words : “ Mrs.
 “ Barnston sees her daughter’s conduct, in appearing against Mr. Daubeny, in such a light,
 “ that the mother and daughter can never see
 “ each other again, if she goes into court.”

Miss Barnston was so distressed by these letters, that she wrote to Mr. Meade in the following language : “ My comfort is for ever broken up ;
 “ alienated from my mother, and driven to appear a chief evidence against a brother, with

* The letter is given at large in C. D.’s pamphlet, page 52 ; the above extract is here sufficient.

“ whom for twelve years I lived in perfect amity
 “ and friendship, and the husband of my dearest
 “ sister—the whole world is indifferent to me;
 “ and what was once a paradise of peace and
 “ harmony, is now a scene of wretchedness and
 “ discord. If you must pursue law, I only pray,
 “ that I may die when the trial is over,”

In the same afflicted stile she wrote also to
 Mr. Coham and Dr. Blayney, beseeching them
 to use their influence with Mr. Meade to give up
 his suit at law; and she received the following
 answers.

Archdeacon COHAM to Miss BARNSTON.

Potterne, May 1792.

“ DEAR MADAM,

“ I receive your distressing letter, and
 “ could fill this with lamenting your hard case;
 “ but neither charity to your relations, nor your
 “ own reluctances, must be indulged, to the in-
 “ jury of my friend, or his cause. You know
 “ that Dr. Blayney was always an advocate for
 “ arbitration; but now he doubts with me. If
 “ our virtue seem somewhat austere, you are to
 “ consider, what two rigid masters you have to
 “ serve,

“ serve, Truth and Justice : these must be your
“ counsellors for consolation.

“ I am, dear Madam, &c.

A. COHAM.”

Dr. Blayney, finding that she still wanted great support to satisfy her mind, and strengthen it for an appearance in court, expressed himself in the following energetic terms.

Poulshot, May 27, 1792.

“ DEAR MADAM,

“ With respect to your personal distress,
“ heaven knows how sincerely I pity you ; and
“ would go a great way to relieve you, if I knew
“ how to do it, without violating the principles
“ of honor, justice, and friendship. But can I
“ persuade Mr. Meade, would you even wish he
“ should be persuaded, to sacrifice the dearest
“ interests of his life, for the sake of sparing
“ you those uneasy sensations, of which you are
“ so apprehensive ? Call to mind, how often you
“ have yourself urged upon him the necessity of
“ vindicating his character. Nor can you now
“ think of giving him up, without incurring
“ even

“ even greater infamy, than would fall to his
 “ share. How am I shocked at hearing of a
 “ parent, of relations, and friends, soliciting you
 “ to bid defiance to every moral and religious
 “ consideration, and pressing you to prostitute
 “ your conscience, for the sake of sparing an un-
 “ feeling brother-in-law (a most unfeeling one
 “ he has been to you!) a disgrace, which he
 “ has, you know, most audaciously provoked.
 “ I will not say with what eye the laws of their
 “ country will be disposed to regard, and resent,
 “ such pernicious attempts to corrupt the evi-
 “ dence, which public justice calls for; but I will
 “ be bold, as a christian minister, to say, that in
 “ the sight of God they are most abominably
 “ wicked. For what in the name of God do
 “ they tempt you to do? You cannot evade
 “ appearing in court, whither you are sum-
 “ moned. It is well known, what you have
 “ already openly and voluntarily declared. And
 “ do they expect you publicly to falsify and con-
 “ tradict yourself? Do they expect you to pre-
 “ varicate in the face of God, and the world?
 “ Do they require you to perjure yourself by
 “ suppressing one tittle of the truth? Heaven
 “ forbid, that you should be so profligately
 “ wicked, and at once give up all hopes of both
 “ present and eternal happiness! Did Mr. Meade’s
 “ cause

" cause require any such support, believe me, I
 " would instantly, and with abhorrence, renounce
 " it. But no such thing; truth, and truth only,
 " is its sure ground of dependence. They ter-
 " rify you with threats of " bringing your
 " mother into court to swear against you."
 " Trust me, they dare not do it; they dare not
 " expose her to public examination. How much
 " soever under undue influence, I cannot believe
 " her so unprincipled, as to deliver an evidence
 " upon oath contrary to truth. And you must
 " know, how much her speaking what she
 " knows to be true, must serve Mr. Meade's
 " cause. Nothing but pity and compassion for
 " her, and for you, has prevented Mr. Meade
 " from subpoenaing her. But if she appears,
 " let the inhumanity lie with those that brought
 " her forward, she must be closely and strictly
 " interrogated.

" Your situation, Madam, I must confess to
 " be a hard one. You are called to a severe
 " trial, a painful struggle between natural af-
 " fection and conscience. But the greater the
 " difficulty, the greater will be your reward, if
 " you steadfastly persevere in doing what is right.
 " The laws of God, you know, are ever to be
 " preferred to the will of man; nor are we at
 " liberty to comply with the requisitions of an
 " earthly

“ earthly parent, when inconsistent with those
 “ eternal obligations of truth and justice, which
 “ are laid upon us by our heavenly one. On
 | “ the contrary, our religion expressly requires
 “ us to give up the nearest and dearest relations,
 “ rather than forego one of those primary duties,
 “ which it inforces on our practice. *He that*
 “ *loveth father or mother more than me, is not worthy*
 “ *of me.* Do they threaten you then with break-
 “ ing off all connection with you? Fear them
 “ not. If they forsake you for doing what is
 “ just and right, there is yet one that will take
 “ you up, that both can and will compensate
 “ the loss by other friends. And dread not the
 “ reproach of men, whilst you have the testimony
 “ of your own conscience in your favor, and
 “ the certainty of being approved by Almighty
 “ God. But should you be prevailed upon to
 “ do what God and your own heart must con-
 “ demn, you may well tremble for the conse-
 “ quences; the loss of peace of mind here, and
 “ eternal misery hereafter.

“ You will pardon me, Madam, for having
 “ thus taken upon me to remind you of your
 “ duty; not that I think you ignorant of it,
 “ but to keep you stedfast under trial, and to
 “ oppose the artifices of those who would mis-
 “ lead you. Let Mr. S. if you please, or any
 “ other,

“ other, see what I have written; if they can
 “ disprove it, let them do it; if not, let them
 “ cease to trouble you. I purpose being in
 “ London on tuesday; I glory in standing by
 “ Mr. Meade, as an oppressed and injured man;
 “ and I trust I shall not be ashamed of the justice
 “ of his cause. You know my principles, and
 “ as far as they allow, I shall be ever happy to
 “ approve myself,

“ Madam,

“ Your most obedient humble servant,

“ BENJ. BLAYNEY.”

These, together with the concurring argu-
 ments and personal attendance of another friend,
 on whose judgment she greatly relied, enabled
 her to go through the difficult and painful task
 allotted her; in doing which, her conscience does
 not reproach her with the least wilful exagger-
 ration, or deviation from truth. What candid
 mind then must not perceive the cruelty and
 injustice of taxing her with being accessary to
 her brother's punishment, when her appearance
 in court, and the evidence she gave there, were
 imposed upon her by strong necessity, and could
 not be evaded, without violating the most sacred
 obligations of duty, religion, and honor?

Mr.

Mr. Daubeny, in one part of his pamphlet, has pretty plainly insinuated, (for he has learned to be cautious in coming to a direct charge) that Miss Barnston had sworn falsely, in saying that she ever had her mother's free and full consent to marry Mr. Meade; and on this occasion, as on others, refers to what is set forth in a certain printed trial. That Mr. Daubeny should disgrace himself by appealing to such a paltry grub-street publication, which he knows to be absolutely without authority, and for the most part void of truth, must appear unaccountable to any one, who has not experienced, to what lengths this gentleman will go, in order to wound an adversary. It is however admitted, that Miss Barnston did swear so in court, and related a dialogue between her mother and herself to that purpose. It is with inexpressible grief and horror, that she has lately been informed, that her ever dear and honored mother has been prevailed upon, by the ascendancy Mr. Daubeny has over her mind, to throw her weight into the scale against her child, who for more than thirty years possessed her unbounded confidence and love; and to disclaim the conversation as untrue, and merely fabricated for the occasion. Mrs. Meade has too much reverence for her mother, and too high an opinion of her intentional veracity, to suppose

suppose that she does not thoroughly believe what she now says. But some allowance is to be made for want of recollection, in regard to a transaction of more than two years standing, and the failure of memory, in an aged worthy woman of near eighty. Nor is her simple denial, with a view to support Mr. Daubeny, to be set in opposition to the best evidence that can be had, where no witness was present, and against the solemn deliberate oath of a thinking and religious woman. Mr. Daubeny indeed is kind enough to supply an excuse for Miss Barnston herself, by saying that her memory was never of the most retentive kind. But Mrs. Meade lays claim to no such indulgence. She finds a minute of what passed entered down upon her journal, a regular journal which she has kept of her daily transactions for many years. The conversation took place in July, 1790; and as soon as she met Mr. Daubeny, she communicated it to him; to which he replied, "that it was not her mother's real sentiment, but extorted from her; and added, what do you think of my wife and me? are we to be sacrificed?" She mentioned it to her relations at Haddon, (see Mrs. W. Sawbridge's letter) at a time when it was impossible to know that such communication could have any consequence; to the Rev. Henry Sawbridge,

Sawbridge, as appears by his letter; to her cousins at Haddon afterwards, who well remember it; and to her sister Mrs. Sikes, who, though warmly in Mr. Daubeny's interest, had the humanity and justice to declare it, when applied to,

Extract of a letter from Mrs. W. SAWBRIDGE.

Weston, October 27, 1793.

“ My Dear Mrs. MEADE,

“ I remember hearing at Haddon, some
“ time between the months of July 1790, and
“ February 1791, of the conversation having
“ passed between you and Mrs. Barnston; you
“ left Haddon, I believe, in Feb. 1791, with
“ full expectation of reconciling all parties.

“ Very sincerely and very affectionately,

“ Yours,

“ MARY SAWBRIDGE.”

Extract from Rev. H. SAWBRIDGE.

Wickham, October 1793.

“ Dear CATHARINE,

“ I will not attempt to call to mind the
“ particular words of a conversation related to
“ me more than three years ago. But I re-
“ member

“ member you told me in the Autumn of 1790,
“ that a conversation had passed between your
“ mother and yourself, in her own room, to
“ the same purport, if not in the same words,
“ you relate it in your letter.

“ I am, &c.

“ HENRY SAWBRIDGE.”

The following is Mr. Sikes's reply to Mrs. Meade's request, that he and his wife also would vindicate her, by reminding her mother, that the story was certainly not fabricated for the occasion.

“ In consequence of the assurance I gave
“ you from Bath, I transcribed from your letters
“ to my wife those passages, which will answer
“ your purpose, and sent them to your mother.

“ Your affectionate brother,

“ THOMAS SIKES.”

The following letter has reference indeed to another conversation, but is inserted to shew, how well-disposed Mrs. Barnston always was to favor her daughter's inclinations, when left to act for herself.

Miss BARNSTON to her Mother.

October, 1790.

“ I ever shall, and must think, that
 “ Mr. Daubeny’s prejudices against Mr. Meade
 “ are ill founded—and when, after all, he asked
 “ me to give up Mr. Meade *to oblige him, and him*
 “ *only*; and when he found my attachment so
 “ strong, that he feared I should not be able to
 “ *make him the sacrifice; when he heard you tell me*
 “ *that I was of an age to judge for myself, and*
 “ *wished me to consider my own happiness*; then, Oh
 “ Heavens! do I see my friend, my brother, my
 “ confidant, one of those whom I have loved
 “ best in the world, labouring to render Mr.
 “ Meade odious in your eyes, in order to give
 “ a sanction to the very active part he takes
 “ against him.”

Of a similar nature to the preceding, is a bold
 assertion of Mr. Daubeny, “ that to his knowledge
 “ Mrs. Barnston had ever a great dislike to Mr.
 “ Meade.” If it was so, both Mr. and Mrs. Meade
 were egregiously deceived; and not they only, but
 many others also; who have witnessed the terms
 of intimacy and familiarity, in which Mr. Meade
 lived with the whole Barnston family, both be-
 fore, and since the late Mr. Barnston’s death. He
 went

went abroad immediately from Mrs. Barnston's house, where he had received every possible mark of the most cordial regard from Mrs. Barnston, who, at parting, insisted that her house should be always his home, when he came to Bath. Mrs. Mary Barnston was no less kind and affectionate, always calling him brother Meade, and wrote to him, after he left their house, with the most friendly interest. For the truth of this, he might appeal to the family which was in the house, and to many others who visited while he remained there. Could he suppose then, that he was so disagreeable to Mrs. Barnston?

Afterwards, when Mr. Meade was abroad, Mrs. Gunning told Mrs. Barnston, that it was reported by every one, that he was to marry Miss Barnston; to which she replied, with a smile of complacency, and a few words that marked not the least degree of disapprobation. If she then had that aversion which Mr. Daubeny suggests, surely she would not have rested so quiet, as not to inquire or write a line on the subject, which it is certain she never did. And when Mrs. Gunning was afterwards employed to make proposals to Mrs. Barnston in Mr. Meade's name, and was rejected, she was given to understand by Mrs. Barnston, that her objection was only on account of the breach between him and

Mr. Daubeny. Too well, indeed, has he been convinced of late, that Mrs. Barnston has since imbibed an utter hatred and abhorrence of him ; but he also well knows, to whose machinations he is indebted for it.

With respect to the two letters from Miss Barnston, which Mr. Daubeny has cited, p. 11, in order, as is supposed, to shew that she did not herself believe Mr. C. Daubeny to have been the author of the slanderous reports concerning the will, they argue nothing either to acquit him of the slander, or to prove the falsehood of her deposition. It was Mr. C. Daubeny's artifice to keep himself out of sight, and to insinuate both to her and every one else, that all the suspicions and charges respecting the will originated with his brothers, and not with him. Miss Barnston at first believed it to be so ; and afterwards, when she had cogent reasons for altering her opinion, reasons of prudence made her conceal her real sentiments, and speak to him, and of him, in the most favorable terms, in prospect of differences being in time reconciled, and family peace restored. But whether Mr. C. Daubeny was or was not the inventor, it was he who adopted and propagated the slander, and therefore was justly made accountable for it. Miss Barnston had no motive to invent, nor could she forget the words

she

she deposed to. She had entered them in her journal at the instant; and how could they but make an indelible impression on her mind, when scarcely a day passed for months after, but she at different times transcribed the various particulars to friends, with whom she corresponded? To Mrs. Gunning, in letters* dated July and August, 1791, she says, "The name in the will is clearly said not to be written by Mrs. Meade." Again; "Take great care of what you say of Mr. Cha. Daubeny. Mr. Meade is so entirely ignorant of what they say against him, that he will be startled. My aunt, I believe, concludes him guilty." "The signature of the will is pronounced a forgery. It was very wrong that Mr. R. Meade should sign the will. Ann let drop something which shews she has been tampered with. The evidence is so strong, that Dr. Bridle would have the D.'s push the affair into a court. What hurts me most is, that these accounts are sent to Dr. Blayney and Mr. Coham."

June 1791

These are records, which confirm Miss Barnston's deposition, because they were written at the very moment when the facts were fresh in her memory.

* These letters, containing various other particulars, are in Mr. M.'s possession.

But besides this, there was another evidence, which was intended, and ought to have been called for at the trial. Why it was omitted, is not easy to say, except it was, that the counsel saw the fact sufficiently proved without it. In the interview which Miss Barnston is said to have had with the Rev. Mr. Hooker, at Mr. Daubeny's house, in July, 1791, Mr. Hooker told her, that he had heard every thing from Mr. Daubeny about the will; he even told her, that Mr. Meade's particular friends did not care to have any thing to do in it †; and he added, that if the quarrel between Mr. Daubeny and Mr. Meade could be adjusted, the will business was too serious a matter not to be rigidly scrutinized; and he advised her to guard herself with caution.

But before I dismiss this subject, I cannot help producing one instance of Mr. Daubeny's candor and ingenuity in quoting and arguing from letters. In order that Mr. Meade's anxiety about his character may appear to have respected not so much the discussion about the will, as another part of his conduct in which Miss Barn-

† Mr. Daubeny, in his pamphlet, p. 25, mentions it as one of the grounds for suspecting Miss Barnston's evidence to be false, that she did not communicate to Mr. Hooker what she deposed relative to Dr. Blayney and Mr. Coham. The reader will see, there was no occasion for her to do so, as Mr. Hooker told it to her,

ston had been particularly concerned, he cites a letter of Miss B. who, he says §, wrote thus:—
 “ Mr. Meade told me that I have been the cause
 “ of ruining his character. The will business
 “ was nothing, &c.” Would any one suppose,
 that the &c. supplied the place of words the
 most material, and directly contradictory of Mr.
 Daubeny’s argument? Yet so it was. The
 letter proceeded thus: “ The will business was
 “ nothing, FOR THAT A LITTLE TIME WOULD
 “ SET ALL THAT TO RIGHTS, BECAUSE FACTS
 “ COULD NOT BE DENIED.”—Fie, Mr. Daubeny!
 is this fair? is this acting like a man of honor
 and integrity?

Upon the very disputable authority of that
 despicable performance, the printed trial before
 mentioned, Mr. Daubeny ventures to bring a
 charge of inconsistency in Miss Barnston’s evi-
 dence concerning the loss of marriage. If Miss
 B. had been less clear and distinct in her evidence
 than she really was, some excuse might have
 been found in that hurry and agitation of mind,
 into which she was thrown by the ungenerous
 and unmanly behaviour of Mr. Daubeny, which
 drew upon him the censure of the court*, and
 was highly disapproved by all, even his own

§ C. D.’s pamph. p. 21.

* Mr. D. was ordered out of court.

friends, that witnessed it. But it is to the inaccuracy of the reporter, and not to the evidence, that the charge of inconsistency belongs. Admitting she did say, that in consequence of Dr. Hanster's conversation with her she had resolved not to marry Mr. Meade, does it follow, that a resolution, taken up upon such ground, was to be, like the laws of the Medes and Persians, irrevocable? Might she not afterwards have seen reason to change her mind; and repent of her hasty credulity? The fact was absolutely so. Dr. Hanster was a German physician, whom Mr. Daubeny met with at Spa, and invited to spend some months at his house in England. This gentleman could know nothing of Mr. Meade's criminality or otherwise, but through the medium of the Daubeny family. But having been in some degree of intimacy with the family abroad, he was undoubtedly commissioned by Mr. Daubeny to repeat to Miss Barnston, what he had probably heard from Mr. Daubeny himself. In a course of three or four months Miss Barnston had leisure to reflect, and perceive, that what was charged against Mr. Meade was founded in prejudice and vague report only. Her resolution proportionably began to waver. Mr. Daubeny, who was ever on the watch, noticed it, and was determined at once

once to throw into the scale, what he was sure would make it preponderate in his favor. He did so; and neither Miss Barnston, nor her friends, could stand out any longer against his direct and positive assertions. Then it was her friends urged, and she herself saw, the necessity of breaking off all connection with Mr. Meade, at least whilst he stood in the light of a guilty man. And was she not then warranted to affirm, that she had been prevented from marrying Mr. Meade, in consequence of what had been stated to her by Mr. Daubeny respecting the will, and believed by her friends on the same authority? But the truth of her declaration is abundantly confirmed by the letters she afterwards wrote on the subject,

“ A friend of mine, (says she, in a letter to
 “ Mrs. Gunning, dated early in July) is unhappy,
 “ lest I should make engagements, before Mr.
 “ Meade’s innocence is proved. If he does not
 “ clear himself of those dreadful charges, I for-
 “ feit my character in being attached to him.”
 In another letter to the same, she says, “ I can
 “ hear nothing openly of Mr. Meade’s vindic-
 “ cation or condemnation, but by Mr. Daubeny,
 “ who has already passed such decisive sentence,
 “ that he thinks it wilful obstinacy not to believe,
 “ what

“ what he and his brothers think such strong
 “ proofs. Those that know him will not believe
 “ that, for the sake of giving away after his
 “ death a few hundreds, more or less, he would
 “ be guilty of perjury, forgery, and other dread-
 “ ful crimes. The Daubenys alone, and my
 “ family, will conclude him guilty. It seems,
 “ that the Daubenys have thought fit to convey
 “ their suspicions to Mr. Coham and Dr. Blay-
 “ ney.” Again, to the same, “ Mr. — says,
 “ that I should tell my family that the peace of
 “ my mind depends upon Mr. Meade’s clearing
 “ himself.” To Mr. Coham she wrote in July
 as follows: “ It is a justice I owe to myself, to
 “ enquire and examine into such charges as now
 “ appear against Mr. Meade. It would ill be-
 “ come a woman of thirty years of age to be
 “ blindly attached to a person, who, if proved
 “ guilty of such perfidious villany, ought to be
 “ deserted by friends and foes.” To the Rev.
 Mr. Hooker—“ It is not enough that my friends
 “ are persuaded into the belief that Mr. Meade
 “ is the most execrable villain upon earth, guilty
 “ of perjury, forgery, hypocrisy, and deceit—I
 “ am called upon to hear those dreadful charges.
 “ These things are laid down upon paper with
 “ such presumptive evidence, and put together
 “ with such logical demonstration, that I can-
 “ didly

“ didly acknowledge, I do not wonder at my
 “ friends condemnation, nor shall I wonder at
 “ your being impressed with doubt and appre-
 “ hension, that I am blinded, and that Mr. D.
 “ is right. But you know me too well to be-
 “ lieve, that any partiality could force me to
 “ unite myself to vice; or induce me, at the age
 “ of thirty-one, to take as a husband a man, I
 “ could even doubt of being guilty of such
 “ dreadful crimes.—Triumph, as it seems to
 “ Mr. D. to prove him capable of such crimes,
 “ as startle one but to hear of, to me it can
 “ convey no satisfaction, but horror and agita-
 “ tion. Proof alone can make me yield my
 “ opinion, whatever I may do my will and
 “ inclination.” To her mother she wrote about
 September, 1791, “ Should Mr. Meade prove
 “ guilty of one of the heavy charges, my regard
 “ must vanish of course; as I trust it is impos-
 “ sible I should ever love vice under any form;
 “ but should his character be decided clear as
 “ noon day, I confess my regard must remain
 “ unchangeable.” To Mr. Charles Daubeny
 himself, who at one time seeing her melancholy,
 said to her* with affected kindness, “ That if
 “ she was bent on marrying Mr. Meade after

* At her aunt Ravenhill's.

“ what he and his brothers think such strong
 “ proofs. Those that know him will not believe
 “ that, for the sake of giving away after his
 “ death a few hundreds, more or less, he would
 “ be guilty of perjury, forgery, and other dread-
 “ ful crimes. The Daubenys alone, and my
 “ family, will conclude him guilty. It seems,
 “ that the Daubenys have thought fit to convey
 “ their suspicions to Mr. Coham and Dr. Blay-
 “ ney.” Again, to the same, “ Mr. — says,
 “ that I should tell my family that the peace of
 “ my mind depends upon Mr. Meade’s clearing
 “ himself.” To Mr. Coham she wrote in July
 as follows: “ It is a justice I owe to myself, to
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 “ blindly attached to a person, who, if proved
 “ guilty of such perfidious villany, ought to be
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 Mr. Hooker—“ It is not enough that my friends
 “ are persuaded into the belief that Mr. Meade
 “ is the most execrable villain upon earth, guilty
 “ of perjury, forgery, hypocrisy, and deceit—I
 “ am called upon to hear those dreadful charges.
 “ These things are laid down upon paper with
 “ such presumptive evidence, and put together
 “ with such logical demonstration, that I can-
 “ didly

“ didly acknowledge, I do not wonder at my
 “ friends condemnation, nor shall I wonder at
 “ your being impressed with doubt and apprehension,
 “ that I am blinded, and that Mr. D. is right. But you know me too well to believe,
 “ that any partiality could force me to unite myself to vice;
 “ or induce me, at the age of thirty-one, to take as a husband a man, I
 “ could even doubt of being guilty of such dreadful crimes.—Triumph, as it seems to
 “ Mr. D. to prove him capable of such crimes, as startle one but to hear of, to me it can
 “ convey no satisfaction, but horror and agitation. Proof alone can make me yield my
 “ opinion, whatever I may do my will and inclination.” To her mother she wrote about
 September, 1791, “ Should Mr. Meade prove
 “ guilty of one of the heavy charges, my regard must vanish of course;
 “ as I trust it is impossible I should ever love vice under any form;
 “ but should his character be decided clear as noon day, I confess my regard must remain
 “ unchangeable.” To Mr. Charles Daubeny himself, who at one time seeing her melancholy,
 said to her* with affected kindness, “ That if
 “ she was bent on marrying Mr. Meade after

* At her aunt Ravenhill's.

“all, it were better to have the matter hushed
 “up; she steadily replied, No; I want to
 “have the matter cleared, not hushed up.”
 Can any one doubt then, in what manner
 Mr. Daubeney’s representations had operated?
 The jury was persuaded, upon the ground
 of her evidence, that the marriage was lost
 in consequence of those representations, and
 gave their verdict accordingly; having respect,
 not to what might be hereafter, but to what had
 already been; and it should seem they were
 right. In the course of the trial, the Judge
 differed in opinion from the jury in one point,
 which was, in allowing a question to be put to
 Miss Barnston, whether she did not intend to
 marry Mr. Meade when the trial was over. She
 might have answered, perhaps more according
 to her real sentiments, “that much depended
 “on the issue of the trial.” But she declined
 giving any answer at all, which the counsel for
 the defendant interpreted to be an answer in the
 affirmative. Whether this weighed with my
 lord Kenyon in the same manner, or whether
 he laid a stress upon her acknowledgement, that
 she had given up Mr. Meade before Mr. Dau-
 beney’s conversation, in compliance with her
 mother’s wishes, without making the distinction
 that accompanied it;—certain it is, that his
 lordship

lordship did observe, that it did not appear to him on the evidence, that the words did occasion the loss of marriage. But he added at the same time, what Mr. Daubeny has thought proper to suppress, “ that there was no doubt “ of the defendant having spoken the words “ upon which the action was founded, and of “ his having spoken them with an ill intention; “ which was evident, by his having supported “ them with notorious falsehoods, clearly proved “ to be such by the testimonies of Archdeacon “ Coham, Doctor Blayney, and the maid-servant “ Ann Boucher.” But even had the court and jury been decided in their judgment, that the marriage had not been prevented or interrupted by Mr. Daubeny’s words, what would it have availed him in point of credit? His intention was obvious enough; and calumny is not the less reprehensible, because the full intent of the calumniator is not effected.

As to special damages, Mr. Meade had little design of suing for them when he commenced his action. His lawyers indeed, upon reading his case, saw instantly the object and effect of the slander, and stated it accordingly in the declaration. He can for himself truly declare, that having vindicated his honor, he has obtained all that engaged his solicitude.

To

To the abuse which Mr. Daubeny has so liberally thrown out, both in his writings and conversation, against Mr. and Mrs. Meade, on account of a promise severally made by them abroad, the following reply, it is hoped, may be thought sufficient. Neither Mr. nor Mrs. Meade ever denied, that a promise was given by each of them separately, to satisfy Mr. Daubeny's wishes; "the object of which, he himself says,* "was to free himself from all responsibility, in "regard to a connection, to which he knew "Mrs. Barnston would have objections; upon "the idea, that if such a connection was "to take place at all, it should be brought "forward under the eye of Mrs. Barnston, rather than under his own." It follows then, that the restraint, to which they were bound by virtue of the promise, extended no farther than while they were abroad; and was not violated by any subsequent application to Mrs. Barnston, after their return. If an inclination towards each other remained after the promise, if it even increased, while they were travelling together, and saw more to approve in each other, the greater was their merit in observing their promise, so far as to abstain from entering into any

* Mr. D.'s pamphlet, p. 48.

engagements inconsistent with it. And this they insist was done by them, notwithstanding the fraud, which they afterwards discovered to have been practised for obtaining the promise; and which, in the eye of both law and conscience, would have been sufficient to dissolve the obligation of any contract. The matter was left open for Mrs. Barnston's decision, and was even dropped upon her refusing her consent. What more could have been required? Mr. Daubeny charges, that Mr. Meade, in order the more effectually to secure Miss B.'s affections, carried on a private correspondence with her, whilst he remained abroad with his (Mr. D.'s) family. The correspondence is acknowledged, if a few notes that passed between them, generally on subjects the most indifferent, together with their travelling journals, can be called so. Nor did they understand, that they were abridged of the liberty of conversing, or corresponding together by letter, so long as a particular subject was left untouched. If the correspondence was carried on privately, it was owing to Mr. Daubeny's absurd jealousy, which broke out in the most ridiculous and offensive manner, upon the least notice they took of each other, though but in the common stile of friends and acquaintance; and perhaps contributed more to rivet their affections

fections upon one another, than any measure Mr. Meade could have devised. It would doubtless have been much better, if they had altogether separated from the first, as Mr. Meade soon began to wish, and more than once proposed; but, as Miss Barnston declared upon oath, he was prevented by her solicitude, lest any rupture should be the consequence of such a parting. But it has been her misfortune, always to have had her best intentions and actions perverted, and made a means of setting those at a greater distance, whom she most wished to have kept united.

It is a matter of real concern to Mr. Meade, that Mrs. Barnston should have seen, or thought she saw, any thing objectionable in his conduct towards her; any behaviour, which she cannot forget or forgive. He is not conscious of having ever designedly failed in marking his respect for her; and he hopes, that it will not be imputed to him as an unpardonable crime, that with the countenance of her daughter, and some of her esteemed relations, he wrote respectfully to enquire, whether Mrs. Barnston might not have seen things in a different light, after having once refused his addresses, and been induced to alter her mind; as the best persons have sometimes done, and not been sorry for it. He knows of

no

no offence he can since have justly given her, except that of marrying her daughter without her consent, for which he has to plead the extraordinary circumstances of the case. When Mrs. Barnston had, upon mistaken principles, abandoned her daughter, and obliged her to accept of the protection of a worthy man, her father's friend, who generously received and countenanced her, under the idea of her being undeservedly persecuted and given up; when that friend, who is known to possess the soundest judgment, and most inflexible integrity, represented to her the necessity of a measure, which probably, but for that necessity, she would never have taken, that of marrying even the man of her choice, whilst her mother lived and disapproved; would it have been delicate, would it have been honourable in Mr. Meade to have hesitated? If Mrs. Barnston will yet relent, and take again into favour her daughter, most truly afflicted for having offended her, and ready to supplicate her forgiveness in the humblest manner; she will find in that daughter the same filial duty and affection she once admired in her, mixed with the most lively sense of gratitude, and carefulness not to offend in future. And she will find in Mr. Meade all the reverence, respect, and regard, which is due to her age and

E

character,

character, and becoming the relation of a son-in-law. But if she continues inexorable, they will not cease to love and respect her; but must deplore her fatal blindness, in placing such implicit confidence in a man, who abuses it to the most unchristian purposes, of keeping a mother and daughter at variance, and fomenting discord in a family of love.

Mr. Daubeney, not without encomiums upon his own liberality, charges Mr. Meade with obligations and ingratitude. Mr. Meade returns a simple, but absolute denial of them. He acknowledges not the weight of a feather, more than the ordinary mutual civilities of brothers and neighbours; and in these the balance was rarely against Mr. Meade. Once, indeed, he thought himself indebted to Mr. Daubeney, for having warmly espoused his sister's cause on a certain occasion; and for some marks of sympathy and consolation, which he affected to shew him after his wife's death.* But these obligations were soon cancelled, by a sudden change from

* Mr. M. wishes it may be understood, that both he and Mrs. Meade travelled with Mr. D.'s family abroad on the most independent footing; that they severally contributed at least their full share of the expence; and that their travelling together with him was as much, if not more, an object of convenience to Mr. D. as to themselves.

love to hatred, and by the most bitter and malicious persecution, that ever was instituted by a man against his brother.

A similar charge is made against Mrs. Meade, in a more circumstantial manner. It is wonderful, and shews the infatuated confidence of Mr. Charles Daubeny, that he will dare to force subjects into notice, which for many reasons, chiefly applicable to himself, ought to be buried in oblivion. Mrs. Meade received a generous mark of her sister's liberality and affection, long before she knew the name of Daubeny. Her other sisters were sharers with her; and she ever did, and ever will gladly acknowledge it. The sense of the obligation will remain for ever; and it is only to repel Mr. Daubeny's ungenerous insinuation, that she avers the pecuniary part of the debt to have been paid. With trembling and concern the subject is touched upon. Mrs. Meade only desires it to be understood, that the debt has been paid, and to Mr. Daubeny himself, more than twofold. He knows it, and all the family know it. It was paid to himself, nine years ago, in such a manner, as ought to have sealed his lips upon the subject for ever. At the same time Mrs. Meade, in whom the milk of human kindness is most predominant, declares, that she never took a step to injure Mr. Daubeny

in his character, fortune, or happiness, unless by the evidence she gave; which, how far it was voluntary, has been already explained.

What the falsehoods are, which Mr. Meade is said to have circulated through the channel of the Rev. James Banister, to the aspersions of Mr. Daubeny's character, Mr. Daubeny has not specified. Mr. Meade denies the fact; and Mr. Banister is known to be a man of too much probity and honor, to be concerned in slander, either as principal or agent. It is possible, Mr. Banister may have ventured an opinion concerning the probable motives of Mr. C. Daubeny's conduct. But if Mr. C. Daubeny is determined to vilify every one, who supposes it to have originated in the love of money, his obloquy will fall upon very many more, than he will choose to look in the face.

On the ill treatment which my respectable friends, the Rev. Mr. Archdeacon Coham, and the Rev. Dr. Blayney, have received, for having asserted the justice of my cause, much more might, and would have been said, had I not been restrained by positive injunctions to the contrary. It is only permitted me to recommend to Mr. Charles Daubeny, to be a little more cautious of blending falsehoods with a name of such high respect as the Bishop of Durham's.

His

His lordship could have informed him, that except a simple reply to the question, what had brought him to town, when he came to attend the trial, Dr. Blayney had never presumed to trouble his lordship with a syllable concerning Mr. Daubeney, or his affairs, till after he was called upon by the letter of Nov. 10, 1792. Then indeed, on finding that Mr. Daubeney had intruded his case upon the Bishop, Dr. Blayney requested his lordship to consider the evidence on the other side; upon which his lordship judged, as it is presumed every impartial person will judge.

To Dr. Blayney, Messrs. Daubeney, as well as myself, ought to have felt ourselves under great obligations, for his endeavours to effect an accommodation between us by a private arbitration; a plan originally recommended by him from a benevolent regard to both parties, and which he continued to promote, long after it was evident to me, and to almost all my friends, that it could not be successful. The blame of its failure, and of the consequent proceedings in a public court, has been shifted by both parties from one to the other. Dr. Blayney some time ago drew up an account of it, so far as he was concerned in it, for the perusal of my counsel previous to the trial. This account has been shewn

to many persons since, and has not failed to work conviction in every one who has read it. He has now kindly permitted me to make it public; to which I have subjoined some remarks, together with my own account of the transactions that followed.

DOCTOR BLAYNEY'S ACCOUNT of a PROPOSAL
for ARBITRATION.

ABOUT the beginning of August last, I received a letter from Mr. Meade, dated Belfast, July 1791, in which he informed me of certain scandalous aspersions, which had been cast upon him by his brothers-in-law, the Mess. Daubeny, respecting a will of his late wife, and endeavoured to convince me of their falshood; which he easily did, as I believed him incapable of such wickedness. But finding he was coming over, with a determination to vindicate his character, and foreseeing what was likely to follow; with a view to promote peace, and to conciliate those, who were probably alienated from each other through misapprehension and mistake, I immediately wrote to my friend Dr. Bathurst, whom I knew to be in habits of friendship with the Daubeny family, and having stated what appeared to me the ground

ground of difference, I intreated his assistance to accommodate it. Dr. Bathurst with his usual benevolence approved, and promised his concurrence. Mr. Meade followed his letter, and came to my house in Wilts, about the latter end of September; and having laid before me the most convincing proofs of his innocence, was prevailed on by me, who had heard that the Messrs. D. had declared themselves desirous of such a mode of investigation, even before Mr. M.'s most partial friends, to propose to them a fair and equal arbitration. I therefore wrote a letter to the Rev. James Daubeny, the purport of which was, that Mr. Meade, finding himself accused by him and his brothers, of crimes which his soul abhorred, was bent on vindicating himself; but having heard, that the Messrs. Daubeny had expressed themselves not unwilling to leave the matter in question to arbitration, he was ready to join issue with them in this manner, or to seek redress in a court of law. This was the substance, though I pretend not to recollect the precise words of the letter.* Mr. James Daubeny returned an answer in a few days, in terms of civility towards me, but of resentment against Mr. Meade. He confessed that I was

* See the letter at large in C. D.'s pamphlet, p. 56.

not misinformed of his inclination to the mode of enquiry proposed, and he believed his brothers would not decline it, but that he would immediately consult them, and inform me. At the same time he said, he was ready to meet Mr. M. in a court of law, if he pleased. And thus began the negotiation for an arbitration, to which it is but justice to declare, that I never found Mr. Meade disinclined, nor to any other conciliatory measures, consistent with the clearing of his character, which, and not revenge, appeared to be his main object.

Soon after my arrival in Oxford in October, I received another letter from Mr. James D., the purport of which was to declare, “ the willing-
 “ nefs of his brothers, as well as of himself, to
 “ come into a reference; but at the same time
 “ to inquire, what was the particular subject of
 “ Mr. M.’s complaint, and against whom; what
 “ was the mode of arbitration proposed; and
 “ whether, as they too might have reason to
 “ complain, Mr. M. would be ready on his part
 “ to answer any questions that might be proposed,
 “ and concur in such measures, as the referees
 “ should deem reasonable to throw light upon
 “ the subject.”† To this I took upon me to

† See C. D.’s pamphlet, p. 57.

reply,

reply, Mr. M. being then on a journey, and at a distance; and having first begged pardon of the eldest brother for having included him among the rest, which was my mistake, as Mr. Meade had never heard that he had concurred in the reflections thrown out against him; I then stated a paragraph from a letter I had lately received from Mr. Meade, in which he says, “ Many
 “ circumstances induce me to believe, that Mr.
 “ James D. never expressed half of that which
 “ is told of him, nor meant to do me those irre-
 “ parable injuries, which I have suffered, and
 “ which, I well know, I did not deserve at his
 “ hands.” But I go on to observe, that “ with
 “ Mr. John and Mr. Charles Daubeny the case
 “ was otherwise; that of the former I had seen a
 “ letter, containing very odious suggestions, such
 “ as rendered it highly credible, that he had at
 “ times, as is reported of him, expressed himself
 “ more unguardedly than he should have done.
 “ But that to Mr. C. D. the matter could be
 “ brought most home; that he had represented
 “ Mr. Meade in the plainest and most direct
 “ terms, as a villain, guilty of perjury, forgery,
 “ robbery, and even in some degree of murder.”§

§ Mr. M. was said by Mr. C. D. to have been the cause of his wife's death, by forcing her to go to Ireland.

This

This, I said, could be proved against him by undoubted evidence, fully sufficient to substantiate a complaint in a court of law. That no man, who knew himself innocent, could acquiesce under such charges; nor would his friends allow him to do so. I then stated, that the proposal of arbitration originated with me, and was approved by Dr. Bathurst, who joined me in wishing, that it might produce peace, and prevent family differences being brought before a public tribunal. That the matter of inquiry before arbitrators would be, "Whether Mr. Meade had used any unfair or indirect means to procure the will his late wife made in his favor a little before her death, or had acted dishonourably in respect to it; and whether he merited the imputation of hastening her death by ill usage, or otherwise." "If he appears guilty," I said, "he must go hide his head where he can. If otherwise, he will have the testimony of impartial judges to support him, together with that of his own conscience." The mode of proceeding, I thought might be this: If Messrs. D. will nominate one or more friends on their side, Mr. M. will nominate an equal number; with power, in case of need, to call in an umpire, whom they should agree upon, to decide any disputable question.

question. Mr. M. had already declared what the crimes were, of which he was charged by Messrs. D. It was their part to prove their allegations, and his to refute them. Mr. M. would engage to answer satisfactorily any questions put to him, and to concur in any measures which the referees should deem reasonable to throw light on the subject; Messrs. D. standing engaged to do the same on their part. And if a referee on each side, being duly instructed by the parties, were to concert and prepare the questions, and other matters, beforehand, I thought it would be a means of facilitating the decision at the time of hearing.*

Such was my answer; and I shall only say upon it, that it ever appeared to me fair and equitable; and that, if upon the ground of it the Messrs. D. would have agreed to leave their cause in the hands of Dr. Bathurst, as Mr. M. would have left his in mine, the business would soon have been over, and a decision been equitably made.

But the Messrs. D. did not approve of the terms; and though, in a course of letters which passed between Mr. C. and Mr. Ja. Daubeney and me, they affected great liberality and candor,

* See C. D.'s pamphlet, p. 59.

and

and wished to be thought as desirous of coming to an explanation, as men could be; it was evident they meant to evade it, by insisting upon terms, one after another, which they knew to be inadmissible; because Mr. M. could not accede to them, without at once giving up the point which he had primarily in view. The first of these is thus stated in Mr. C. D.'s own words, "As Mr. M. has publicly charged my brothers
 "and myself with having libelled his character,
 "we shall expect, that such proofs shall be
 "brought, as shall be deemed sufficient to support that charge, had it been made in a court;
 "and in failure of which, that Mr. M. shall
 "be called upon by the arbitrators to acknowledge under his hand, that he has brought
 "charges against gentlemen, that he cannot substantiate."* Here, by a dexterous kind of legerdemain, the accused is at once changed into an accuser; and the parties on one side into judges, with power to determine, not only what evidence should be received, but what should be the final issue and judgment. But the intent of this was plain enough to be seen. Mr. C. D. was persuaded, that without the assistance of a court, Mr. M. could hardly come at such evi-

* C. D.'s pamphlet, p. 97.

dence,

dence, as would amount to legal proof, though he might bring such as would abundantly convince any reasonable man. By insisting therefore on strictly legal proof, and making it a *preliminary*, which he did, if Mr. M. came short of such proof, the cause was instantly at an end, *solvuntur tabulae*, and the world was left to believe of Mr. M. what it would, or what his enemies chose to insinuate. But the snare was foreseen and prevented. Another point insisted upon, which, with the above and some other conditions, was sent to me in a letter from Mr. Ja. D.* as the sense of the whole fraternity, was, "That three persons, absolute
 "strangers to, and not previously acquainted
 "with the matter in dispute, should be made
 "arbitrators." The design of this was to exclude any of Mr. M.'s particular friends, on whose honor, judgment, and knowledge of the question, he most relied, from being chosen by him; though, with an affectation of moderation and candor, they professed themselves willing to allow "Mr. Coham and me to be present at the
 "trial, as private advisers to Mr. M., but not as
 "advocates." It is not said by whom these three *indifferent persons*, as they are called, were to be

* See C. D.'s pamphlet, p. 64.

chosen;

chosen; but supposing one to be left to the choice of Mr. M., upon the same principles, which served to exclude Mr. Coham and me, the little circle of those, in whom Mr. M. could place any confidence, might all have been excluded one after another; and had Mr. M. proceeded to exclude their friends in like manner, they would not have failed to charge him with a resolution to evade all inquiry. The letter which contained these insidious proposals was sent to Mr. M., as was intended it should. The answer, which was transmitted through my hands, was as follows.

T. MEADE to Dr. BLAYNEY.

Bath, Nov. 19, 1791.

“ DEAR SIR,

“ This morning, on my return from
“ Taunton, I received your letter, which was
“ forwarded from Potterne.

“ Although, in compliance with your re-
“ commendation, I adopted and offered the
“ mode of arbitration, to which we were told
“ the Messrs. D. expressed themselves inclined,
“ yet I never believed much would come of it;
“ and I am now confirmed in my belief of their
“ having determined to evade it, by clogging
“ the

“ the propofal with conditions, to which they
 “ know I cannot, nor ought to fubmit.

“ In the firft place, to each party muft be
 “ left a liberty of choofing an arbitrator; the
 “ two thus choſen to call in a third. I will ap-
 “ point a man of the moſt unqueſtionable honor
 “ and integrity; I ſhall preſume the Meſſrs. D.
 “ will do the ſame. But I will never conſent,
 “ that the perſon named by me ſhall be ex-
 “ cluded, becauſe he happens previously to
 “ know, and think well of me; there are few
 “ others, that would undertake ſo troubleſome
 “ an employment.

“ 2dly, I will agree to no preliminaries,
 “ which ſhall in any wiſe tend to preclude, what
 “ I conſider to be the principal object of the
 “ arbitration, the examination of thoſe points, in
 “ which my reputation is concerned, and upon
 “ which I expect a deciſive judgment. I truſt
 “ I ſhall make it appear, that I have been cru-
 “ elly charged with crimes which my ſoul ab-
 “ hors; and I inſiſt upon being allowed free
 “ ſcope to clear myſelf, if I can. If the Meſſ.
 “ D. have any ground to think I have wronged
 “ them, I am willing to ſubmit that point alſo
 “ to the judgment of the arbitrators.

“ 3dly, I will pledge myſelf to answer ſuch
 “ interrogatories, and in ſuch manner, as the
 arbitrators

“ arbitrators (not the Messrs. D.) shall require of
“ me, provided my opponents shall pledge them-
“ selves in like manner.

“ 4thly, I will produce my evidence, whe-
“ ther it may be what the Mess. D. may call legal
“ or not, and leave it to the arbitrators to deter-
“ mine its sufficiency. The arbitrators to have
“ an absolute power at their discretion of restrain-
“ ing or directing the parties in every instance.

“ 5thly, I will not decline meeting the Rev.
“ C. D. on any private complaint of his, which
“ he shall choose to bring forward before the
“ arbitrators, however unconnected the subjects
“ are; let the same persons sit in judgment on
“ both, since the Messrs. D. insist upon it; pro-
“ vided that Mr. C. D.'s complaint be specified
“ before-hand, that I may be prepared to reply.
“ I can well guess at the subject he alludes to;
“ and I can assure Mr. C. D. that delicacy alone
“ restrains me from calling for such explanation.
“ Too much has been sacrificed to it already;
“ but I can now with confidence say, that I need
“ have no such scruples, if I am called upon to
“ stand in my own defence.

“ Lastly, I accept of nothing as an indulgence.
“ I claim a right of nominating an arbitrator.
“ I shall appoint one of the most honorable and
“ respected characters in the west of England;
“ I mean

" I mean Archdeacon Coham; and I shall re-
 " quest of you to be an assistant. Messrs. D.
 " may attend with any friends they please.

" If you think the foregoing terms just, I
 " shall be satisfied, whether the Mr. D's. accede
 " to them or not. If they refuse, I shall decline
 " all further correspondence of course upon this
 " subject, and shall pursue my own measures.

" I am, Dear Sir,

" Yours, &c.

" THOMAS MEADE."

This open and manly declaration of Mr. Meade seems to have alarmed his antagonists, and soon after produced two letters addressed to me, one by Mr. C. D. and the other by Mr. Ja. D, in the name of the brothers; the purport of both nearly the same, an endeavour to convince me, that their offers were equitable and just, and Mr. M. unreasonable in rejecting them. They profess however to refer their differences to me; they desire to know my sentiments, and they engage to abide by my decision. But Mr. M.'s avowal of his resolution to appoint Mr. Coham for his arbitrator being new matter, they thus expressed themselves upon it: " Mr. M.'s right
 " of nominating an arbitrator has never been
 F " disputed;

“ disputed; the respectability of the person fixed
 “ upon by Mr. Meade is not called in question;
 “ but the D’s submit to Dr. B, as a man of
 “ honor, whether a person, who has stood forth
 “ as the declared advocate of Mr. M, and has
 “ gone so far, *pendente lite*, as to bring the state-
 “ ment of Mr. M.’s case into the Barnston fa-
 “ mily, and who took that opportunity of
 “ pleading in his favor, declaring himself satis-
 “ fied that Mr. M. was as innocent as the child
 “ unborn, is a proper person for such an office.
 “ The judge is never supposed to hear a cause
 “ before he goes into court. If, however, under
 “ these circumstances Dr. B. is of opinion, that
 “ Archdeacon Coham would dispose his mind to
 “ a patient and impartial investigation, the D’s
 “ will in that case not object to his appearing in
 “ the character of an arbitrator.”*

The following was the answer returned.

Ch. Ch. Dec. 7, 1791.

“ REV. SIR,

“ I am obliged to you and your bro-
 “ thers for the honor you do me, in referring to
 “ my opinion respecting Mr. M.’s proposals and

* See C. D.’s pamphlet, p. 71.

“ yours,

“ yours, which I will give you candidly; and,
 “ as you seem to wish, before I communicate
 “ your answer to Mr. M. With respect to the
 “ nomination of a friend by both parties for
 “ the purpose of arbitration, which Mr. M. in-
 “ sists on, I think there can be no just objection
 “ to it. For allowing *partiality* to draw on one
 “ side, there is a counterbalance of equal *partiality*
 “ on the other, and so the scale must turn at last,
 “ as you argue it should, by the judgment of an
 “ impartial person; for so he must be supposed
 “ to be, who is appointed by the concurring
 “ choice of the other two. Nor does it appear
 “ to me so advisable, that all the arbitrators
 “ should be totally unacquainted beforehand
 “ with the matter in dispute; for I think it
 “ likely to be more fully investigated, when
 “ there is at least one on each side possessed
 “ of the pleas of the contending parties. Mr.
 “ M.’s objection to your amendment is, I think,
 “ insuperable; ‘ that he knows of no indifferent
 “ person that will at his request incur him-
 “ self with so troublesome a business.’ With
 “ respect to the evidence, as well against Mr.
 “ C. D. as against the other brothers, that must
 “ be left wholly to the arbitrators. With regard
 “ to Mr. Coham’s eligibility, I must fairly con-
 “ fess, that I think he has been premature in
 F 2 “ declaring

“ declaring his judgment*. I know not, whe-
 “ ther I do not think full as well of Mr. M. in
 “ the general, as he does; but if called upon to
 “ arbitrate upon honor, I think I could, and
 “ should, set aside partiality and friendship, and
 “ give a judgment purely according to the evi-
 “ dence adduced on hearing the cause. And
 “ therefore I cannot but suppose, that Arch-
 “ deacon Coham, of whose moderation and in-
 “ tegrity I have the greatest opinion, would do
 “ the like. Let me own, that once indeed I
 “ entertained hopes, that the matter might have
 “ been submitted to Dr. Bathurst and myself;
 “ knowing the universal esteem he is in with all
 “ his acquaintance, and that he was at least as
 “ much attached to you and your family, as I
 “ can be to Mr. M. Had that been approved,
 “ I think we should have differed very little, if
 “ at all, in judgment; or should soon have set-
 “ tled every disputable point by calling in a third
 “ person.—And having adjusted the matter of

* When I wrote the above letter, I did not know what
 had passed, but from Mr. Daubeny's letter. I since find that
 Mr. Coham carried to Miss Barnston, by her desire, a state of
 the case, containing proofs of Mr. M.'s innocence. Mr.
 Coham denies the positive assertion attributed to him; but if
 any thing was said reflecting on Mr. M., it was natural for
 him to appeal to the proofs then in his hands.

“ right,

“ right, we should have endeavoured to bring
“ about an amicable accommodation, and re-
“ newal of friendship. Now, I fear, there re-
“ main little hopes of compassing so desirable
“ an end.

“ I am, Sir,

“ Your most obedient humble servant,

“ B. BLAYNEY.”

Though the letter, which followed in answer to the above, be a pretty long one, yet as it seems to have been the hinge on which the whole has turned, I cannot forbear giving it at large.

Copy of a Letter from Rev. JAS. DAUBENY-
to Dr. BLAYNEY.

“ REV. SIR,

“ I have submitted the letter, you did
“ me the favor of sending in answer to my last,
“ to the consideration of my brothers, who desire
“ me to unite their thanks with my own, for
“ your polite compliance with their wishes of
“ having your opinion, as far as you have been
“ pleased to give it. We should have been glad

“ to have received it upon every point therein
 “ submitted to you; but being without your
 “ judgment upon several of the most material,
 “ I have only, on their behalf and my own, to
 “ reply to that part which relates to Mr. Meade’s
 “ appointment of Archdeacon Coham, and your
 “ own reasoning thereupon, together with your
 “ suggestion, that Mr. Meade’s objection to the
 “ choice proposed by us of unprejudiced persons
 “ is insuperable, on account of his inability to
 “ prevail upon any such person to be troubled
 “ with the business. In this respect we submit
 “ to you, that we must be under equal difficulties;
 “ but contend, that they will be readily obviated
 “ by the following mode, which we are necessa-
 “ rily led to point out, from the language as-
 “ sumed by Mr. Meade through the whole of this
 “ business, as well as in your last letter to C. D,
 “ which *we of course consider as Mr. Meade’s lan-*
 “ *guage adopted by you.* In your original address
 “ to us, Sir, on his part, the proposal of a re-
 “ ference came coupled with an implication of a
 “ suit at law, accompanied with an averment
 “ against C. D, that Mr. Meade was in possession
 “ of sufficient evidence to substantiate his charge
 “ against him in a court of law; in the conclud-
 “ ing sentence of Mr. Meade’s letter handed us
 “ by you, he has not omitted to express an inten-
 “ tion

“tion of pursuing his own measures, should we not
 “acquiesce in his proposed mode of arbitration,
 “provided it be by you approved. And in your
 “last letter to C. D. Mr. M. is pronounced by
 “you as determined to pursue the *most vigorous*
 “*measures*. These reiterated threats thrown out
 “by Mr. M. the Ds. have noticed with the sen-
 “timent to which alone they are intitled, and to
 “which their moderation in the present stage of
 “the business prevents their affixing the deserved
 “appellation; convinced that your own judg-
 “ment will not fail to suggest the only proper
 “one. Following up therefore the hostile idea
 “entertained by Mr. Meade, and convinced with
 “you, that the accommodation, which with such
 “friendly intentions you had once conceived
 “hopes of, is now impracticable, we are alike
 “desirous with him, that the severest justice
 “should take place; for which reason we sub-
 “mit to you the extreme impropriety of this
 “matter being discussed before persons prepos-
 “sessed, or biased by any friendly partiality to
 “either side; and propose, (what we presume can
 “not be objected to by Mr. Meade, because
 “the difficulty, if any, must be greater on our
 “side than on his) that he shall name a gen-
 “tleman of undoubted character in the profes-
 “sion of the law, and that we appoint another;

“ these two to meet and agree upon a third as
 “ umpire, before whom we are ready to meet
 “ Mr. M, and to enter upon a thorough investi-
 “ gation of this disagreeable business; upon con-
 “ dition, that the said referees shall be bound to
 “ pass judgment, under their hands, upon any and
 “ every point relative thereto, upon which their
 “ decision shall be called for by either party; by
 “ which decision, or that of the majority, the
 “ parties on both sides shall be bound. To the
 “ fairness of this proposal we call for your opi-
 “ nion, as Mr. Meade’s friend, and request the
 “ favor of you to pass it to us with Mr. M.’s
 “ assent or dissent thereto. Thus far am I au-
 “ thorized to reply to your favor in behalf of
 “ the brotherhood in general. In respect to
 “ C. D. in particular, in return for the *friendly*
 “ *advice* in your last, “ that he be prepared to
 “ make good the charges, which Mr. Meade as-
 “serts have been brought against him by C. D. ;”
 “ and in proof of which assertion you have been
 “ pleased to repeat in your last letter to him, that
 “ Mr. M. is in possession of more than sufficient
 “ proof to substantiate the same in a court of law
 “ against C. D. ; he desires me to pass through
 “ your hands a similar recommendation, to be
 “ prepared, if he can, to disprove the charge
 “ which will be brought against him to the fol-
 “ lowing

“ lowing effect, “ That T. M. has broken his
 “ word pledged in the most deliberate and so-
 “ lemn manner; that he prostituted religion and
 “ friendship to the purpose of carrying on deli-
 “ berate deceit; that he solemnly called God to
 “ witness a notorious falsehood, knowing it to
 “ be such; and that he has propagated scanda-
 “ lous falsehoods for the purpose of aspersing
 “ the character of C. D.” These several charges
 “ C. D. pledges himself to prove against T. M.
 “ and therefore challenges T. M. to stand upon
 “ his defence.

“ I am, Sir, with all due respect, &c.

“ JAMES DAUBENY.”

Bristol, Dec. 15.

Before I proceed to relate what passed in consequence of this letter, it seems necessary for me to acknowledge what I wrote in reply to Mr. C. D.; and which is frequently alluded to in the preceding. After referring him chiefly to my letter to Mr. James D. of Dec. 7, 1791, I thought proper to conclude thus: “ One point
 “ however I must beg to set you right in; Mr.
 “ M. in his letter to me says, *that if I think his*
 “ *terms just, - he shall be satisfied whether the Mess.*
 “ D.

“ *D. accede to them or not.* But this does not
 “ imply, as you seem to infer, *the least abatement*
 “ *of his solicitude for the vindication of his character,*
 “ On the contrary, believe me, he is bent on
 “ taking the most vigorous measures for that
 “ purpose. And as he is furnished with proofs
 “ more than sufficient to substantiate his com-
 “ plaint against you, it will behove you to be
 “ prepared to make good your charge.”

But to return now to Mr. Ja. D.’s letter above recited. Its hostile tenor throughout; the rancorous spirit discoverable in it; the high tone of challenge; the absurd proposal of substituting lawyers, where the special purpose was to avoid law; the intemperate abuse of Mr. M, and the avowed and virulent charges against him; the sly sarcasms (for which, it seems, the Messrs. D. are famous) levelled at me, and the open insult of saying, that I had adopted language not my own, determined me as soon as possible to wash my hands of this disagreeable business. I therefore sent the letter to Mr. M. with my opinion, that the hopes of an accommodation were at an end, and I left him to do as he thought proper. A few days brought me an answer from Mr. M., in which, “ after animadverting on the inconsistency
 “ of the brothers, in first giving out that they
 “ should be willing to submit the affair to the
 “ judgment

“ judgment of Mr. M.’s most intimate friends;
 “ in afterwards rejecting the fairest terms of ar-
 “ bitration, by two friends chosen one by each
 “ party, with power to call in a third in whom
 “ both should agree; in objecting to a man of
 “ the strictest honor and probity, when nomi-
 “ nated by Mr. M, merely because he was known
 “ to be friendly towards him; in pretending to
 “ refer their objections to me, and to stand by
 “ my opinion, and presently rejecting it, because
 “ it did not tally with their notions, and even
 “ reflecting upon me; and lastly, in proposing
 “ that he should adopt all the inconveniencies
 “ without the advantages of a suit at law; he
 “ declares his intention of following those mea-
 “ sures, which he thinks most effectual for the
 “ vindication of his injured character.”* Soon
 after I learned, that Mr. M. had commenced an
 action against Mr. C. D, and thus ended this
 negotiation, at least so far as Mr. M. had any
 hand in it. For as he was not even consulted
 in what followed, no conclusion can be drawn
 from it, either to his advantage or otherwise.
 The world is left to judge from what has been
 above stated, to whom the present hostilities
 are to be attributed.

* See the letter at large in C. D.’s pamphlet, p. 78.

I sent this letter of Mr. M. immediately to Mr. Ja. D. and with it the following note.

“ S I R,

“ As you will not allow me sentiments
“ or language of my own, I have nothing more
“ to do, than to transmit to you the inclosed
“ letter addressed to

“ Sir,

“ Your humble servant,

“ B. BLAYNEY.”

I now hoped I was clear of any further intercourse with the Messrs. D. with whose temper and proceedings I had little reason to be satisfied. But I was mistaken. On the 16th of January, 1792, a letter was brought me in the evening from Mr. Ja. D, then in Oxford, and on his way into Buckinghamshire. It was a very voluminous one, of which a great part was taken up in expressing the great concern of him and his brothers at the thought of having offended me, in professions of respect for me, and disavowing all intentions of shewing me any disrespect. Another part was employed in arguing the propriety of their conduct relative to the arbitration; and they declared (however contrary to the tenor of their

their last letter) that they had no other meaning than to have conformed to the mode recommended by me, and to have (though against their own judgment) accepted Mr. Coham for an arbitrator.* This led me to think they might be coming about to better temper, and were really desirous of accommodation. I therefore admitted their excuses, and held forth hopes that a pacific treaty might still take place, if properly encouraged on their side.† But I would not commit Mr. M. till I had fuller proofs of their sincerity; for even in this letter there was found matter not unexceptionable. I therefore only informed Mr. M. that I had some reason to think the Messrs. D. had considered better of the matter, and wished that if any overtures were made, he would not hastily reject them. It happened about this time, that Mr. Sawbridge came forward with his offer of mediation; and Mr. M, in compliance with my advice, declared himself not averse to it on proper conditions. Another letter from Mr. Ja. D. followed,‡ and though the contents of it considerably abated my hopes, I was not willing to abandon them, and wrote mildly in return, that I had sounded

* See C. D.'s pamphlet, p. 80. † See C. D.'s pamphlet, p. 87.

‡ See C. D.'s pamphlet, p. 90.

Mr.

Mr. M. and found him not so bent on prosecuting his suit, as not to listen to pacific measures, if any reasonable ones were proposed to him; and that I had understood, that a Mr. Sawbridge had made a proposal from which some good might be expected.* I had a third letter from Mr. Ja. D. chiefly to inform me that he should be in Oxford, at the King's Arms inn, on such a day.† It is probable he expected I should have sent to him; but I saw no ground for such a step. If Mr. D. had any thing to say to me, he knew where I was to be found; and I thought it was more his business to seek me, than mine to seek him. The day passed, and I heard nothing of him; and so the matter ended a second time.

But I was still to experience farther trouble. A very long letter§ from Mr. C. D, dated Feb. 18, 1792, was brought me by post from Bath. It contained somewhat of a proposal, which I was to forward to Mr. M.; but as it was no other than had been already rejected, and as I liked neither the matter nor stile of the letter,

* C. D.'s pamphlet, p. 92.

† Part of this letter only is given in C. D.'s pamphlet, p. 93.

§ C. D.'s pamphlet, p. 110.

I wrote

I wrote in reply, "That the ill success I had met with in my negociation between him and Mr. M. had determined me not to concern myself further, and I therefore begged he would look for some other channel of communication."* But this did not satisfy Mr. C. D. who in another letter expostulates with me on my refusal. He calls to my mind some former declarations I had made of my readiness to support *equal justice*; and hopes that upon that principle I will be disposed to favor him, and the rather, as I had talked about peace in a late letter to his brother, and had even pledged myself to procure a more quiet settlement of the business, on receiving encouragement from them. "That encouragement (says he) you now receive from the principal party concerned, from him, who, according to your former acknowledgment, has an undoubted right to be heard in his vindication."† Thus called upon, I wrote the following letter, which I think will sufficiently evince, which side is to be reproached with rejecting reasonable terms of arbitration.

* C. D.'s pamphlet, p. 114.

† C. D.'s pamphlet, p. 115.

Copy of a Letter to Rev. C. DAUBENY.

“ REV. SIR,

“ As you have thought proper again to
 “ apply to me, I cannot as a gentleman refuse
 “ you an answer. I feel the same inclination to
 “ promote peace, and the same disposition to-
 “ wards equal justice, as ever I did. But you
 “ must allow me to say, that my time is, in my
 “ estimation at least, of too much value to be
 “ thrown away, without likelihood of producing
 • “ any good effect. ‘Tis true, I did tell your
 “ brother in my letter, “ that I would still en-
 “ deavor and pledge myself to procure a more
 “ quiet settlement of the business, if properly
 “ encouraged on your side.” But what encou-
 “ ragement did I receive? Nothing but a letter
 “ full of angry invective, and a proposal of terms,
 “ which had been before (and in my humble
 “ opinion, justly) rejected. And why, Sir,
 “ should you say, that my letter insinuated that
 “ a Mr. Sawbridge had made a pacific proposal
 “ to Mr. Meade, *as coming from you*? I am con-
 “ fident my letter afforded no ground for the
 “ last words, but simply said, that a Mr. S. had
 “ made such a proposal; which I really believed
 “ came neither from Mr. Meade, nor from you;
 “ but

“ but purely from himself, out of motives of
 “ friendship to both. However, to cut the
 “ matter short, I will state to you the terms on
 “ which alone I will concern myself as a me-
 “ diator between you: First, That two gentle-
 “ men of honor be chosen for arbitrators, one
 “ by each party, a third to be taken as umpire
 “ by the joint choice of the other two. 2dly,
 “ That as the difference originated concerning
 “ Mrs. Meade’s will, that matter be first of all
 “ inquired into; and Mr. M. be allowed to
 “ vindicate himself; as well as he can, from any
 “ charges or suspicions of you and your brothers
 “ on this head. 3dly, That, after this, Mr.
 “ Meade shall be bound to produce the proofs
 “ he has for charging you with having unjustly
 “ aspersed his character. 4thly, That you shall
 “ then be heard upon any other charges you
 “ have to bring against Mr. Meade, and he in
 “ his defence. 5thly, That both parties shall
 “ deliver in their charges, pleas, and documents
 “ in writing, which shall be submitted to the
 “ other, but shall not meet *face to face*, as little
 “ moderation is to be expected from spirits so
 “ inflamed against each other. 6thly, That in
 “ the process of the affair, both parties shall
 “ be subject to the direction of the arbitrators,
 “ shall answer all such questions fairly, as shall

" be proposed from that quarter, and shall sub-
 " mit quietly to the final decision. If these
 " terms are approved by you, I will undertake
 " to propose them to Mr. M. and to support
 " them with my influence. If they are not, I
 " beg you will allow me to leave the matter
 " where it is at present; which I shall do without
 " any apprehension of my friend's disgrace. I
 " know of none hitherto, which he has to fear;
 " and when any thing unworthy is proved upon
 " him, it will then be time enough to dismiss
 " him from my good opinion.

" I am, Sir, with due respect,

" Your most obedient humble servant,

" B. BLAYNEY."

Ch. Ch. March 4, 1792.

Mr. C. Daubeny's answer to this* was so
 very intemperate, that, though it deserved other
 chastisement, I thought it better became me to
 dismiss it with the following reply.

" REV. SIR,

" The stile of your letters convinces
 " me that my further interference can be of no

* C. D.'s pamphlet, p. 119.

“ use. I must therefore beg leave *peremptorily* to
“ decline your commission, and to request that I
“ may hear no more from you upon the subject.

“ I am, Sir,

“ Your most obedient humble servant,

“ B. BLAYNEY.”

Ch. Ch. March 13, 1792:

The length of the letters from Mr. Ja. and Mr. C. D. is a sufficient reason for not transcribing them. They may be seen by any one that wishes it. § I will only add, that Mr. C. D. says he had shewn his first letter to Dr. Bathurst, by whom it was fully approved; I also consulted the same gentleman, and was by him justified in my opinion, that it was now too late to hope for reconciliation, and therefore I was right in declining all farther attempts to bring it about.

B. BLAYNEY.

Here ends Dr. BLAYNEY's narrative of the negotiation.

§ Mr. D. has published them all in his pamphlet, but with some little variations; which however it is not thought worth while to notice.

Mr. C. D. having thus failed in his endeavours to draw Dr. Blayney into a fresh correspondence, thought fit, within a few days after, to insult me with a new proposal,* as he calls it,

* This proposal is a very curious one, and shall be given at large, as a specimen of "those temperate and reasonable" applications for arbitration," which Mr. D. says, were made by him in vain to Mr. Meade.

Bristol, March 20, 1792.

"WHEREAS the Rev. Dr. Blayney, Canon of Ch. Ch. in Oxford, with the view, *as he professed*, of giving his friend Thomas Meade an opportunity of vindicating his character, did, in the month of September last, call upon George, Charles, James, and John Daubeny, to come to an explanation of certain charges of a very heinous nature, alledged to have been brought by them against the said T. M., to which call the Messrs. D. paid immediate attention; and WHEREAS the said Dr. Blayney did immediately after withdraw the said challenge, so far as it concerned the elder brother G. D.; at the same time apologizing to him, and pleading in excuse, that it was a mistake of his own; for that Mr. Meade knew not that Mr. G. D. had concurred in the reflections thrown out against him; though it is notorious, that Mr. Meade's complaint of injuries had been uniformly and industriously circulated by his friends against the brotherhood; and it may be presumed Dr. B. adopted that general language from Mr. Meade himself; and WHEREAS the said Dr. B. has since thought proper to leave out of the question the other two brothers, James and John D. by a kind of tacit abandonment of the charge against them, and to confine it to the Rev. C. D. whom he has accused, in the most positive terms, of having publicly charged Mr. M.

" with

but drawn up in the stile of a manifesto, sent open, and beginning with WHEREAS, and a long preamble full of abuse against me and my

“ with having been guilty of perjury, forgery, robbery, and
 “ even murder; at the same time pronouncing, that his friend
 “ had, in his opinion, more than proof sufficient to substan-
 “ tiate a complaint against C. D. in a court of law; and
 “ WHEREAS the said C. D. immediately communicated to Dr.
 “ B. his readiness to join with his brothers in any plan calcu-
 “ lated to give Mr. M. all proper satisfaction on the subject,
 “ upon condition, that Mr. M. should at the same time pledge
 “ himself to answer to those charges, upon which the said
 “ C. D. required explanation and satisfaction from him; a
 “ condition, which was not only accepted by Mr. M. but
 “ judged so reasonable by Dr. B. that in his letter on the
 “ subject he said, “ that he should as readily support the
 “ claim of C. D. upon a principle of equal justice:” and
 “ WHEREAS C. D. did, in consequence of his being called
 “ upon by Dr. B. and Mr. M. bring forward several charges
 “ in writing of a very serious nature, which he pledged him-
 “ self, and still pledges himself, to substantiate against T. M.
 “ by the most undeniable evidence; And WHEREAS T. M. has
 “ evaded two arbitrations, proposed to him on the part of
 “ Messrs. D. for the purpose of bringing the matter to a fair
 “ and impartial hearing; and has since, without any good
 “ reason, but with the professed view of advantage, com-
 “ menced an action in the King’s Bench; and has since the
 “ commencement of the said action been pleased, under the
 “ pen of Miss C. Barnston, to disclaim the proceeding; pro-
 “ testing to Miss B.’s friends through her channel, that he
 “ knew nothing of it, laying the blame upon a mistake of his
 “ lawyer; and WHEREAS the said T. M. has since made a
 “ proposal

friends; and concluding with a threat, that if I refused the terms proposed to me, he and his brothers would think themselves justified in

“ proposal to C. D., through the medium of the Rev. H.
 “ Sawbridge, for the renewal of a pacific arbitration; at the
 “ same time telling his friend Dr. B., that a pacific proposal
 “ had been made to him from the Rev. H. Sawbridge on the
 “ subject, to which he was inclined to accede, if matters could
 “ be fairly terminated in any other way; if not, that his suit
 “ must go on; and WHEREAS the Rev. C. D. has applied to
 “ Mr. M. through the channel of the Rev. H. Sawbridge,
 “ more than once to know, whether he, T. M., did or did
 “ not acknowledge the prosecution in question; to which C.
 “ D. has never yet received an answer; and WHEREAS the said
 “ C. D. has since applied to the Rev. Dr. B. in consequence
 “ of his having originally brought the business forward on the
 “ behalf of his friend T. M., informing him, that he readily
 “ acceded to Mr. M.’s last proposal, so far as it respected an
 “ arbitration before three impartial gentlemen; requesting Dr.
 “ B. at the same time to forward to Mr. M. a plan for that
 “ purpose, which Dr. B. has at length refused peremptorily
 “ to do; declaring that he will concern himself no farther in
 “ the business, but upon the condition, that the parties shall
 “ not meet *face to face*; a condition accompanied with other
 “ terms of his own dictating, as inadmissible in themselves, as
 “ unbecoming the situation and character, in which Dr. B.
 “ introduced himself into this business; and which being pro-
 “ posed by the Doctor himself, *apparently* without the privity of
 “ T. M., are not on that account intitled to attention or reply;
 “ THIS therefore is to inform T. M., that in consequence
 “ of the channel of communication with him through Dr. B.
 “ being in this *very extraordinary manner* closed, the following
 “ plan

holding me up in my true colors; and other such like stuff; "Signed in behalf of himself and
 "his brothers, CHARLES DAUBENY." No one

" plan of an arbitration is delivered to him immediately from
 " C. D, as the only one which can be adopted in justice to
 " C. D, or which can tend to the effectual vindication of T.
 " M.'s character; to which consequently Mr. M. is desired to
 " give a decisive and immediate answer. The plan for arbitration is as follows: That Mr. M., according to his late
 " proposal through the Rev. H. S., choose one impartial gentleman, C. D. another, and these two fix upon a third as
 " umpire; that Mr. M. proceed to substantiate his charges
 " against C. D. by such proof as would be deemed valid in a
 " court of law, (it having been alledged that Mr. M. has such
 " proof to bring, and he having actually commenced an action
 " against C. D. for the purpose of bringing that proof forward)
 " and against the other Mr. D.'s, with such proof as the arbitrators shall deem satisfactory; That the Mess. D. shall then
 " be called upon to substantiate by evidence satisfactory to the
 " arbitrators, whatever charges Mr. M. shall have proved to
 " have been made against him by them; and shall then proceed
 " to state whatever doubts they may entertain, or whatever objections they may have to make to any part of Mr. M.'s
 " conduct; and to substantiate what they may advance against
 " him by such proofs as shall be satisfactory to the arbitrators;
 " That the evidence on both sides shall be fairly brought forth,
 " and the parties examined face to face, and such questions
 " put, as shall be judged by the arbitrators to be proper and
 " necessary to the full investigation of *the truth*. And finally,
 " that the arbitrators shall be called upon by either party to
 " pronounce judgment under their hands upon each charge, as
 " it shall be substantiated, and that a copy of the said judgment

will wonder that I did not return an answer, but continued to proceed according to my own ideas, and the advice of my best friends, to seek re-

ment shall be delivered into the hands of each contending party. To this proposition, of a nature calculated to answer the purpose of Dr. B.'s original challenge to Messrs. D., on behalf of his friend T. M., namely, that of giving him an opportunity of entering upon his vindication, Mr. M. is now directly called upon, and of necessity so called upon, in consequence of Dr. B.'s deviation, to express his assent, objections to, if any, or his refusal of, as he shall be disposed, T. M. being hereby given further to understand from the said G, C, J^a, and J, D, that in case he shall, in copy of the example set him by his friend Dr. B., desert the scheme of arbitration proposed to him, and shut the matter up by confining himself to a silent reserve on the subject; the Messrs. D. will consider such conduct as a refusal on his part, and feel themselves fully justified in proceeding to avail themselves of every opportunity to state the character of Mr. M. thus at issue with their own, in its proper colors, to any person, to whom they have reason to believe, or shall hereafter learn, the subject has been introduced by Mr. M.; particularly to the joint friends of themselves and of Mr. Meade, and to those zealous advocates of his, who have not been deficient in industry to relate the story in a manner reflecting upon the conduct of the Messrs. D. towards Mr. M. as injurious to his character, and unwarrantable in them; at the same time ascribing the conduct of the Messrs. D. on this occasion to motives unworthy of them.

"Signed in behalf of himself and brothers,

"CHARLES DAUBENY."

drefs

dress in the only way, in which I was likely to obtain it,

At length Mr. C. D. and his brothers began to feel uneasy; and though they had hitherto vapoured, and pretended "to desire nothing more, than to meet Mr. Meade in the face of a public court," they grew sick of the business as the time drew near, and made repeated applications to set it aside. But it was now too late; they had in the most insidious and insulting manner eluded the proposal of arbitration, when it came from me, and they were destined in their turn to sue in vain. I saw no reason why, after having collected my evidence, and been at a vast deal of expence and trouble in preparing for a trial, I should, in compliment to the Messrs. D., disappoint the expectations of my friends, besides the risque of having all to go over again with accumulated costs and inconvenience.

To the gentlemen who brought me the last proposal, and who on their own account, as well as from their manner of addressing me, were intitled to every mark of respect, I took pains to represent the danger and impossibility of my retreating in the last stage of the business, two days only before the trial. But that I made no use of the expressions which Mr. Daubeney in his pamphlet, p. 133, has attributed to me,

"that

*“ that I could not say how far my revenge might
“ carry me,”* the following letter from the Rev.
H. Sawbridge will shew.

(EXTRACT.)

Wickham, Nov. 4, 1793.

*“ I do not recollect the exact words you
“ used ; but I remember, to me they conveyed
“ a very different idea from the words Mr. Dau-
“ beny asserts you made use of. I understood
“ you disclaiming revenge, but acknowledged great
“ resentment.*

“ Your sincere and affectionate friend,

“ HENRY SAWBRIDGE.”

I have now gone through with all that ap-
pears necessary in reply to Mr. Cha. Daubeny's
extraordinary pamphlet; and though I have
studied conciseness as much as possible, I am
sensible how much reason I have to apologize
for having trespassed so far upon the reader's
patience. I can, at least with equal truth, re-
peat Mr. C. Daubeny's own words, *“ that I have
not said all that is to be said, nor proved all that is*

to be proved;" but I trust I have both said and proved enough. It is the first time I have ever written for the public eye; and it is my wish, that I may never have the like occasion to trouble it again. But it was my duty, and I hope I shall never want spirit, to stand forth in vindication of what is dearer to me than life, my good name.

That my opponent's time and thoughts may henceforth, as he says, be occupied with better subjects, is devoutly to be wished, both for the honor of his profession, and for the peace of all those who may have to do with him. But should he again be disposed to vent his spleen in abuse, it is hoped the reader will be prepared to treat it with the deserved contempt, and to justify me in doing the same.

THOMAS MEADE.

Heddington, December, 1793.

I have been desired by a distant worthy friend to take some special notice of what is said in Mr. C. D.'s pamphlet, p. 15, concerning my having promised Mr. James D. to shew him the will left at Eastwell. This has occasioned me to write the following

POSTSCRIPT.

P O S T S C R I P T.

March 1789

THE facts, as well as I can recollect, were these: When Mr. James D. and I met at Hardwicke, it was the first time we had seen each other since his sister's death. Both were greatly affected, and drowned in tears. What seemed to distress him most, was the apprehension that his sister, offended at the part he had lately taken in some family disputes, had ceased to love him as well as formerly. Little did I think at that time, that it was not the loss of his sister's affection, but of her money, that he deplored.* I therefore set myself to soothe and console him by assurances, which were literally true, that his sister's affectionate regard for her brothers had continued the same to the last. To convince him of this, I urged the kind expressions she had used in that sketch of a will, which I had drawn up for her under her directions in Ireland. This led him to mention the will she had left at Eastwell; and I, unconscious of ill, and suspecting none, for his comfort told him, that if I had it at Eastwell, I would gladly shew him both the sketch, and the will he had men-

* At that very time, amidst tears and sensibility, he was "treasuring up any words (so he owns in a letter to me) as they might become a subject of future discussion."

tioned

tioned, or any thing else that would gratify him. This was far different from the absolute promise, with which I was afterwards charged, and which I meant to disclaim, when I said in my letter to him, in April 1791, that *I neither did nor could promise it.* I had been at Eastwell a few months before, whither I went from the houses of my wife's brothers and relations, without having heard the least breath or whisper, that might put me on my guard. Being about to go abroad, with a design never to reside at Eastwell again, I examined all my books of account, letters, and papers, and reserving those only which I thought of importance, I caused them to be packed up in trunks and chests, which I can prove were never opened by me till after my return from Ireland, in August 1791. Impatient to finish so distressing a work, and disordered both in body and mind, it was not easy for me to recollect particularly what papers had been put by. Happy should I now be, if the old will had escaped the fate of those papers, which were burnt as useless. But no candid person will think, that it must of necessity have occurred to me to preserve a cancelled will, as a security against unheard of charges, and suspicions, of which I could have no idea. For I imagined, as every dispassionate person has done, that in

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Jan. 1798

me alone were united every claim of law, justice, and equity to the little my wife had to dispose of, and that her brothers were equally sensible of it. And that nothing passed in the conference at Hardwicke to undeceive me, will plainly appear from the following letter written to me by Mr. James Daubeny.

May, 1789.

MY DEAR TOM,

YOURS which I have just received I'll answer immediately; and I mean to do it in a manner the most explicit, because I'm not conscious of having advanced any sentiment on the subject, that I would wish either to suppress or palliate. I am sorry the discussion you allude to has taken place at all, because it is but too apparent, that it was carried on with less temper and discretion, than the delicacy of the subject required. If however my brother chose to enter upon it, he should have given you his own ideas, without any reference to what he supposed were either Jack's or mine. If he suggested it as our opinion, that Mary had been *unjust*, or that *you had prompted her* to an act of injustice, he was not warranted in the allegation, I apprehend, by any expressions of ours. There could be no injustice, where there

was

was no legal claim; and there could be none in the case before us, as the disposing power was solely and absolutely vested in my sister. But though we had no legal claim to any part of her property, yet I cannot help observing, that we had all of us formed certain reversionary expectations, which have not been gratified; and as I do not mean to conceal what our real opinions have been, it is fit that I should state them candidly before you, that you may see they were not altogether visionary. When your marriage took place, Charles and myself were together at Brighton. On our return we were given to understand, that Mary had reserved to herself a portion of her fortune; not, as you suggest, from a motive of caution respecting her husband, for in him she had ever placed the most implicit confidence; but as she expressly avowed, that she might have it in her power to reward the attachment of her brothers, if their future conduct should render them deserving of it.* After such a declaration, it was

* This was certainly a mistake; as it militates not only with her repeated declarations to her most confidential intimates, (see the letters before cited from Mrs. Lyte, Mrs. Gunning, &c.) but with the settlement itself, by which, according to her express directions, the money was to vest in her husband, not her brothers, in case she died without a will.

natural for us to expect, that our children at least might eventually be benefited by the disposition of what was thus reserved; and we were farther encouraged in the indulgence of those sentiments, by reflecting on my sister's frequent intimations of her having disposed of her effects by will, which they concluded it was needless to specify, unless they had been more particularly interested in the event.—If I have stated this transaction as it really happened, which I am sure I have to the best of my knowledge, I would ask either of those friends whom you mention as my sister's confidants, whether or no we had not reason to expect, that she would have made some reserve in our favor; unless it could be proved, what is not I think to be presumed, either that there was a manifest abatement of brotherly love towards one, who was far, very far, from meriting it of us; or, what would be as difficult of proof, that all her brothers' families were in such affluent circumstances, as to render any addition to them burdensome and unnecessary.* From what I have said you will conclude we

* What she thought of this matter, is explained in Mrs. Lyte's letter, p. 12; and Mrs. Gunning's, p. 16.

were disappointed; but you are not to infer from thence any thing disrespectful to you, or injurious to the memory of our sister. We loved her with too much unfeigned affection, to reflect on her now she is gone; and I am convinced in my own mind, that she was as warmly attached to her brothers, though she saw reason to deviate from her original intentions in the disposal of what she had reserved. Having explained myself thus fully, and as I hope for the last time, on this subject, I have only to add, what I wish most fervently, that whatever surmises may have arisen in the hearts of any of us, they may from henceforth give place to something better; and that brotherly love may continue to our life's end. We depend on seeing you in your way to London; whether you go *viâ* Stratton, or *viâ* Bath, the difference is so small, that we trust you will think it none. You will disappoint us much by quitting the kingdom without a call, however short. Helen joins me in this request, as she does in affectionate wishes with,

Dear Tom,

Your friend and brother,

J. D.

May 13:

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Let any candid man, who reads the foregoing letter, ask himself, whether it can be believed, that Mr. J. D. had already entered upon this subject with me five or six weeks before? There is not a word in it that alludes to a former explanation; not a hint of doubts already expressed or promises given; not the smallest inquiry about the old will, or expectation of seeing it. On the contrary, he wishes that the subject may be dismissed for ever, and that nothing but brotherly love may continue. In truth Mr. J. D. must himself be satisfied, both that I did not understand, nor did he design in his interview with me to convey, any suspicions, that reflected on my honor and integrity. He expressed pleasure to see, as a consoling object, a paper, with a sight of which I was equally desirous to gratify him. And thus the matter rested for near two years, during the chief part of which I was abroad. And it is probable, that the above recited kind and affectionate letter of Mr. J. D. was in some degree the means of my forgetting the subject, which I absolutely did, until it came round to me as one of the charges circulated by Mr. C. D. in whispers against me.



